DOCUMENT RESUME

ED 435 808 CE 079 339

AUTHOR Kaufman, Barbara A.; Wills, Joan L.

TITLE User's Guide to the Workforce Investment Act of 1998. A Companion to the Law and Regulations.

INSTITUTION Association for Career and Technical Education, Alexandria, VA.

ISBN ISBN-0-89514-004-7

PUB DATE 1999-00-00

NOTE 54p.; For the Workforce Investment Act of 1998, see ED 425 334.

AVAILABLE FROM Association for Career and Technical Education, 1410 King Street, Alexandria, VA 22314. Tel: 800-826-9972 (Toll Free). The Workforce Investment Act of 1998 can be purchased separately.

PUB TYPE Guides - Non-Classroom (055)

EDRS PRICE EDRS Price MF01 Plus Postage. PC Not Available from EDRS.

DESCRIPTORS Adult Education; Adult Literacy; Adult Programs; Delivery Systems; Dislocated Workers; *Education Work Relationship; Educational Finance; *Educational Legislation; *Federal Legislation; Financial Support; Government School Relationship; *Labor Force Development; *Literacy Education; National Programs; Policy Formation; Postsecondary Education; Public Policy; Resource Allocation; Systems Approach; Transitional Programs; *Vocational Education; Vocational Rehabilitation; Youth Programs

IDENTIFIERS Wagner Peyser Act; *Workforce Investment Act 1998

ABSTRACT

This guide, which is designed to assist individuals responsible for implementing the provisions of the Workforce Investment Act of 1998 (WIA), places the WIA in context and examines its major provisions and the implications of those provisions for educators, trainers, and others involved in the development, funding, and delivery of workforce development programs. The document's foreword gives an overview of the act, which does the following: authorizes a new work investment system and provides services for adults, youths, and dislocated workers; reauthorizes adult education and literacy programs; amends the Wagner-Peyser Act, revises the nations employment statistics system, provides for linkages with other programs, and authorizes the 21st Century Workforce Commission; and amends the Rehabilitation Act Amendments of 1998. The following topics are covered in the guide's 13 sections: history of federal legislation governing workforce development; key features of the WIA; structure of the WIA; allocations and formulas; one-stop delivery system; provisions regarding adults and dislocated workers; provisions regarding youth; performance accountability measures; work-flex; Wagner-Peyser/employment statistics; national programs/responsibilities; adult education and literacy; and transition provisions. Appended are the following: WIA implementation benchmarks; recurring dates in the WIA; and required elements of the one-stop delivery system. (MN)

Reproductions supplied by EDRS are the best that can be made
from the original document.

ED 435 808

# USER'S GUIDE TO THE

# OF 1998

## A Companion to the Law and Regulations

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☐ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

PERMISSION TO REPRODUCE AND DISSEMINATE THIS MATERIAL IN MICROFICHE ONLY HAS BEEN GRANTED BY
P Blawn
TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

2B

2

BEST COPY AVAILABLE

ED079339

# USER'S GUIDE TO THE WORKFORCE INVESTMENT ACT OF 1998

A Companion to the Law and Regulations

By Barbara A. Kaufmann and Joan L. Wills
Center for Workforce Development

Eric Ries, Editor
Association for Career and Technical Education

ISBN #0-89514-004-7

Published by the Association for Career and Technical Education
1410 King Street, Alexandria, VA 22314
© 1999 by ACTE. No part of this publication may be reproduced in any form without the express written permission of the association.

**Barbara A. Kaufmann** is senior associate at the Center for Workforce Development. Previously, she worked at the National Alliance of Business, where she researched and wrote on skill standards, school-to-careers, dislocated workers and second-chance systems such as the Job Training Partnership Act. She also has extensive experience in state government.

**Joan L. Wills** is director of the Center for Workforce Development, which she founded in 1991. Previously, she was project manager for the Commission on the Skills of the American Workforce, which published the influential report, *America's Choice: High Skills or Low Wages!* in 1990. She also has served as director of the Center for Policy Research at the National Governors Association, and has worked at the state and local levels on workforce development issues.

The **Center for Workforce Development** is part of the Institute for Educational Leadership, a nonprofit organization headquartered in Washington, D.C, with affiliated programs in more than 40 states. The center's focus is on building bridges in both the public and private sectors to create a more coherent workforce development system in the United States. It has been involved in research or technical assistance on a number of major initiatives — most notably school-to-careers, skill standards and youth issues.

The **Association for Career and Technical Education** is the largest national association of career and technical education teachers, administrators, teacher educators, guidance counselors and business and industry partners. ACTE promotes connecting education and careers through tech prep, school-to-careers and other technical skills programs. The association produces an annual convention and trade show, workshops, a monthly magazine, newsletters, books, brochures and other products.

# Contents

**Foreword** ..... 1
**History** ..... 3
**Key Features of the Workforce Investment Act** ..... 7
**Structure** ..... 9
**Allocations and Formulas** ..... 17
**One-Stop Delivery System** ..... 19
**Adults and Dislocated Workers** ..... 21
**Youth** ..... 23
**Performance Accountability Measures** ..... 27
**Work-Flex** ..... 29
**Wagner-Peyser/Employment Statistics** ..... 31
**National Programs/Responsibilities** ..... 35
**Adult Education and Literacy** ..... 37
**Transition Provisions** ..... 43

**Appendix**

WIA Implementation Benchmarks ..... 47
Recurring Dates in the Workforce Investment Act ..... 49
Required Elements of the One-Stop Delivery System ..... 51

# Foreword

The Workforce Investment Act (WIA) was approved by Congress and signed into law by President Clinton on August 7, 1998. Passage of Public Law 105-220 caps almost five years of discussion of changes to the nation's workforce development system. This publication examines the act's major provisions and the implications for those responsible for implementing them. It also places the WIA in context, as it builds on decades of efforts to help individuals receive training and employment.

The act has five titles:

- *Title I – Workforce Investment Systems* authorizes a new workforce investment system and provides services for adults, youth and dislocated workers.
- *Title II – Adult Education and Literacy* reauthorizes adult education and literacy programs.
- *Title III – Workforce Investment-Related Activities* contains amendments to the Wagner-Peyser Act and mainly makes changes to the nation's employment statistics system. It also provides for linkages with other programs and authorizes the Twenty-First Century Workforce Commission.
- *Title IV – Rehabilitation Act Amendments of 1998* contains amendments to the Rehabilitation Act.
- *Title V – General Provisions* contains general provisions relating to the act.

This guide is designed to be used in conjunction with the law and regulations. ACTE has not included the law and regulations in this publication in order to reduce the cost to readers, many of whom will already possess or have easy access to those lengthy documents. Both the law and the latest version of the regulations can, however, be purchased separately from ACTE.

# History

In the latter half of the 19th century states established manual labor schools that combined occupational preparation with the "mental" training that had been the domain of public schools. The apprenticeship model that combined intellectual and manual arts was adapted to a school-based work-preparation program. The federal government first became involved through direct appropriations for vocational education through the Smith-Hughes Act in 1917. Just three years later people with physical handicaps were recognized as needing targeted services and the vocational rehabilitation (VR) system was created.

### *The 1930s Through the 1950s*

In the Great Depression workers began receiving increased federal support, with initial emphasis on income support and job creation—not training.

The Roosevelt administration's job-creation strategies included a range of new initiatives such as the Civilian Conservation Corps and the Works Progress Administration. These programs were temporary and disappeared during the war years. However, two income-support strategies employed at that time have become more-permanent features of our intergovernmental support system. The first was directed at widows, orphans and people with disabilities—a precursor to the Aid for Families and Dependent Children entitlement program and subsequent welfare reform programs. The second was a wage-replacement program—unemployment insurance—that was financed by payroll taxes.

In 1937 the National Apprenticeship Act increased training requirements for craft workers and required that employers pay for it. A related requirement stipulated that apprenticeship instruction be delivered by both secondary and postsecondary schools, and by employers and correspondence schools. The government, with industry, was to develop apprenticeship standards.

A variety of job-related services were made available to veterans after Word War II. The GI Bill allowed individuals to choose the postsecondary education institution they wanted to attend. The Veterans Administration (VA) established some quality control, such as certifying eligible postsecondary institutions. The 1950s saw greatly increased use of the GI Bill but no major changes affecting vocational education.

### *The 1960s and 1970s*

Government workforce development initiatives expanded significantly during the 1960s, however, fueled by technological change, high levels of unemployment that persisted after the Korean War and the number of minorities in subsistence jobs.

The Manpower Development and Training Act (MDTA), passed in 1962 to address these issues, used the chain of authority that had been established in the 1930s. The state labor exchange agencies (the employment services) were responsible for working with the state agency responsible for vocational education programs to jointly administer MDTA. The employment service was to determine the training needs and the vocational education agency was to ensure that training occurred in a state-recognized educational institution.

In the 1960s many Americans wanted to address the effects of racial discrimination and poverty. Thus began the so-called Great Society programs, whose major thrust was education and training of the workforce. Most programs were to be managed by newly created community-based organizations and local school districts. The war on poverty generated a mix of service providers and/or oversight advisory groups that continue to exist today.

The latter half of the 1960s and the early 1970s were characterized by legislative oversight and changes in federal grant-in-aid programs, with several new programs established each year. Concerns arose about proliferation, but there was little agreement about where the authority should rest.

### *A New Era: 1980 to 1994*

When President Nixon assumed office, discussions moved to consolidation of programs and new mechanisms to promote accountability. Local elected officials were the big winners at that time in the workforce development arena, with states given responsibility for programs in sparsely populated rural areas and some coordination tasks. The Comprehensive Employment and Training Act (CETA) combined several war-on-poverty programs with MDTA—but did not include the labor exchange services managed by the state employment service, follow-ups to the 1917 vocational education legislation, vocational rehabilitation, the adult education program or the employment-related service programs for welfare recipients. No consensus emerged regarding the appropriate roles of the three levels of government, the responsibilities of K-12 and postsecondary education institutions, or who would reconcile differences between the various state agencies and other stakeholders, such as businesses and unions.

The 1980s brought a resurgence of state government activism. Governors and state legislators increasingly turned their attention to the issue of education and training. In large measure this was driven by employers concerned about youths' lack of preparedness for the world of work. States' economic competitiveness was threatened by the poor quality of K-12 education. Elected officials responded with an explosion of new programs in almost all the states—not only to upgrade K-12 education but to boost retraining of current workers.

Federal actions during the 1980s were driven by President Reagan's determination to eliminate programs and reduce federal expenditures. Thus, CETA was replaced with the Job Training Partnership Act (JTPA) in 1982. The job-creation portion of CETA—its largest component—was totally eliminated, leaving only support for training and related services.

JTPA continued the pattern, begun in the war-on-poverty programs, of using economic status as the primary eligibility criteria. It recognized, however, that income could not be the only determinant of training needs: A new dislocated workers program, triggered by length of unemployment, was included in the legislation.

JTPA gave state government and the business community stronger roles. The Reagan administration, building on a demonstration project begun by President Carter, gave the mandated Private Industry Councils (PICs) in local areas a "controlling voice"—a broad-brush range of responsibilities to coordinate all job-preparation programs within their geographic area.

States absorbed many of the grant-management functions that had been the federal government's responsibilities in the sub-state service delivery areas. Also, for the first time in federal legislation, performance standards were part of the accountability system. The federal government was charged with establishing the core standards and governors were allowed to make "in-state" modifications if approved by the U.S. Secretary of Labor.

JTPA also amended, for the first time since its original enactment, the 1933 Wagner-Peyser Act. Governors were given oversight authority of the program of services. Previously, the U.S. Employment Service treated states as its administrative agents. The JTPA amendments to the Wagner-Peyser Act recognized the need for a national infrastructure of common services but allowed for increased management flexibility by the states.

Except for exhortations to coordinate and sign off on each other's plans on labor exchange, work/welfare programs and vocational education (not vocational rehabilitation, apprenticeship or services to veterans), JTPA did not address governance or accountability relationships with other federally funded programs related to workforce development.

In response to employer concerns about poor worker literacy, the Omnibus Literacy Act of 1991 included a new work-based, national, competitive literacy grant program. Performance standards were established for the first time and developed in conjunction with the other workforce-preparation programs (JTPA, JOBS, vocational education). Linkages were expected between the JTPA and JOBS (welfare) programs and states were required to use a competitive bid process. Prior to this law, the funds flowed more or less automatically to preselected education institutions—either local education agencies or community colleges. The bulk of

these funds continue, however, to flow through the states and the 20-year-old Adult Basic Education program.

### *Current Building Blocks*

In 1994 Congress enacted three pieces of legislation that are intertwined in purpose and actions: the School-to-Work Opportunities Act (STWOA); Goals 2000: Educate America Act (which promoted national education reform); and, within Goals 2000, Title V, which established the National Skills Standards Act. Each represents opportunities to build and strengthen the base of current institutions while buttressing the links among those institutions in new and different ways. None of the three mandate any specific requirements for states or localities, promoting change through voluntary actions. A connecting lynchpin, however, is the development of standards.

***Skill Standards***. An emerging workforce development tool is integrating skill standards and industry-valued assessments and certifications into the instruction and assessment of students and workers.

The National Skill Standards Act created the National Skill Standards Board (NSSB), which is to construct a voluntary system of skill standards that eventually will cover nearly all institutions concerned with worker skills. Key tasks are to identify broad occupational clusters around which the voluntary system can be organized, and to recognize partnership bodies responsible for validating skill requirements and promoting the credentials. Standards are to be used in developing curricula and instructional materials at the various educational levels.

***Academic Standards.*** Goals 2000 established voluntary national education goals to promote coherent, systemic education reform and clearly defined federal, state and local responsibilities. The objective is to establish what students should know upon leaving grades four, eight and 12. Forty-seven states are now using standards developed in a range of disciplines as benchmarks for their education systems.

Goals 2000 defined three types of standards:

- **Content standards**—"Broad descriptions of the knowledge and skill students should acquire in a particular subject."
- **Performance standards**—"Concrete examples and explicit definitions of what students have to know and be able to do to demonstrate that such students are proficient in the terms and knowledge framed by content standards."
- **Opportunity-to-learn standards**—(Opportunity to learn standards have since been stripped out by other legislation.)

***School-to-Work***. STWOA, jointly administered by the departments of Education and Labor, envisioned strategies to link school-based and work-based learning for all students—not just those in career and technical education. Congress passed the act with the assumption that other legislation and programs will absorb its best lessons after STWOA sunsets in 2001.

The program of study forwarded by STWOA builds on concepts of the technical preparation programs promoted by the 1990 Perkins Act. It is organized around occupational career majors through a coherent sequence of courses that link academic and vocational content and ignore institutional boundaries—embracing high schools, community colleges and/or community-based organizations. Programs are to delineate what is to be learned in the workplace and how that learning relates to classroom learning, and to incorporate industry knowledge and skill standards that have been validated nationally.

STWOA also envisions skill certificates that will be a "portable, industry-recognized credential" signifying that a student has mastered levels at least as challenging as those endorsed by the NSSB.

***Welfare Reform.*** On the heels of the STWOA, Goals 2000 and the National Skill Standards Act (and a shift in control of Congress to the Republican Party), the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) was passed in August 1996 to reform the nation's welfare laws. It created a new system of block grants to states for Temporary Assistance for Needy Families (TANF), changing the very nature of welfare benefits in America. The new law emphasizes work and places time limits on benefits to move people off welfare and into jobs.

The Balanced Budget Act of 1997 authorized creation of a temporary U.S. Department of Labor

program to provide welfare-to-work grants to states and local communities to create additional job opportunities for the hardest-to-employ recipients of TANF.

There has been a longstanding debate at the federal and state levels over which agency should have lead responsibility for managing the workforce preparation component of the welfare system. Currently it is under the aegis of the Department of Labor and its state and local training networks.

PICs authorized under JTPA receive most of the formula dollars. They also can receive competitive grant dollars, as can local government and private entities—such as community development corporations and community-based organizations, community action agencies and other private groups. Funds may be used to help move eligible individuals into the workforce by job creation through public- or private-sector wage subsidies; on-the-job training; contracts with public or private providers of job readiness, job placement and post-employment services, or job vouchers for similar services; community service or work experience; or job retention and supportive services (if such services are not otherwise available).

# Key Features of the Workforce Investment Act

The WIA makes some significant changes in the nation's employment and training programs, building on themes that have emerged in past legislation.

### *Codification of One-Stop Centers for Delivery of Services*

A common frustration among job-seekers and employers is the difficulty of finding quality information on available employment and training programs, and having to go from one place to another to receive information and services. The one-stop career center system has already become a key organizing vehicle for employment and training programs through grants issued to the states by the U.S. Department of Labor beginning in late 1994. All states have now received either planning or implementation funding.

The WIA makes these one-stop centers the backbone of the workforce delivery system. They are the access point for all adults and dislocated workers into the system—beginning with eligibility determination for various programs and including assessment, job search and placement activities. One-stop centers become the door to all other services.

### *Consolidation of Workforce Development Activities*

Legislative discussions were dominated by General Accounting Office (GAO) reports that found 154 programs or funding streams designed to assist the unemployed, enhance worker skills or create employment opportunities. The WIA does not eliminate or consolidate all the program overlap identified by the GAO but it does eliminate the Job Training Partnership Act (JTPA), the Adult Education Act and the National Literacy Act of 1991 and consolidates their activities, along with those of vocational rehabilitation.

### *Re-alignment of Existing Programs*

The WIA re-aligns those programs not eliminated. One way is through an optional unified state plan. Another is through the designation of local areas by the governor, who can factor in the boundaries of various educational agencies. Job Corps representatives are to be part of youth councils and linkage with the Job Corps is part of the state plan.

### *Emphasis on Youth Programs*

The WIA creates a separate youth subtitle. Some practitioners contend that in recent years under the JTPA, youth—especially those out of school—have not received enough attention from local service delivery areas responsible for services to both adults and youth. The WIA has a separate section for youth activities and creates a youth council, which may mean a reemphasis on youth services. One of the changes in youth services is elimination of summer youth employment and training as a separate program that must be offered. Instead, it is an allowable service that must be balanced with other youth services.

### *Emphasis on Customer Information and Choice*

The WIA establishes individual training accounts with vouchers that allow those needing services to make choices among various education and training providers. To help customers make those choices, there is to be more information available about providers. And customer satisfaction surveys are part of the accountability measures in the law.

### *New Focus on Program Accountability*

Accountability is not a new concept, but it becomes more explicit in the WIA. More responsibility for setting performance is housed at the state and local levels. Providers of services are to

be chosen and retained based on their performance.

### *Difference in Individual Outcomes*

The WIA prescribes different outcomes depending on who is served. For youth, the appropriate outcome is basic—attainment of work readiness, occupational skills and education. For older youth and adults outcomes include both employment and attainment of educational and occupational credentials. The WIA recognizes different levels of services depending on the individual's skills and needs as they relate to the labor market.

### *Role of Employers*

The WIA continues to recognize the role employers must play in a workforce development system. State employer organizations are recognized as important participants on the Workforce Investment Board (WIB). The local boards must promote the participation of private-sector employers in the statewide workforce investment system through intermediary organizations that will provide connecting, brokering and coaching activities.

### *Longer Periods of Time for Planning and Service*

Research shows that individuals with barriers to employment need assistance for longer periods of time than traditionally have been available under education/employment and training programs. The WIA recognizes this in its provision of mentoring services for youth, follow-up to individuals receiving services and longer planning periods. In both the job training and adult education and literacy sections, states must submit five-year plans.

To fully comprehend the reasons for these major changes in workforce training policy and their practical meaning requires examination of the WIA's overall organization and funding provisions, and separate looks at specific content areas and anticipated effects on targeted populations. Accordingly, this guide begins with the law's structure, focuses on allocations and funding formulas, then examines in turn such aspects of the law as centrality of the one-stop delivery system; provisions for adults, dislocated workers and youth; accountability and flexibility; and additional responsibilities.

You'll find an appendix with checklists and other resources at the end of this guide.

### Programs Affected by the WIA

Repealed on effective date of act:

- Section 204 of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1255a note);
- Program to assist workers affected by the establishment of Redwood National Park (Title II of P.L. 95-250);
- The Displaced Homemakers Self-Sufficiency Assistance Act (29 U.S.C. 2301 et seq.);
- Section 211 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 211);
- Subtitle C of Title VII of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11441 et seq.), except section 738 of such title (42 U.S.C. 11448); and
- Assistance to certain aviation workers (Subchapter I of Chapter 421 of Title 49, United States Code).

# Structure

The central issue of workforce development policy, fiercely debated for more than five years, is: Should Congress or the states establish the appropriate governance structure of a workforce development system? What role should the states play? What role should the federal government play? Should there be a direct line between a predetermined, federally selected service provider such as the Job Service and the federal government, or can services be delivered by a range of organizations? Should federal legislation spell out the roles and responsibilities of a local decision-making body and its relationship to locally elected officials? Should local bodies have the ultimate authority to select service providers? To whom should they be accountable? What special role in the governance structure should be accorded to specific stakeholders, such as the employer community or representatives of client groups (e.g., people with disabilities and minority communities)?

*Structurally, the WIA has two prongs. One centers on the traditional role of organizing the system for the federally funded training and labor market exchange. The second is the optional unified state plan.*

The WIA resolves all these questions—at least for the next five years or so. Though the debate on workforce development governance issues has not completely ended, consensus decisions were made in the WIA to turn a series of programs into a viable workforce development system.

The WIA begins to address what to include in a workforce development system. It recognizes the need for a sub-system focused on initial preparation of the labor force—that is, school-to-careers. It also recognizes that individual sub-systems are needed to address continuous workforce preparation; employment-related services such as labor market information, job matching and placement; and basic literacy as a key element of participation in the labor force and national life, especially in view of the large number of non-English-speaking adults in the workforce. The WIA further recognizes that people with physical and mental handicaps have special needs that must be accommodated and may require lengthier and more costly support services.

The WIA framework places additional authority at the state level to establish formal links between the separate public and private governance structures, such as K-12 and postsecondary education training bodies, state agencies and local units of government. The WIA, combined with the Higher Education Act and the Perkins Act, sets the guideposts for formal links among states' laws relating to workforce development. Much will depend on the size of the state, its traditions and the policies and political thrust of its elected and appointed officials. This approach recognizes the constitutional responsibilities accorded the states, which have always been responsible for establishing the sub-state governance system in this area.

Structurally, the WIA has two prongs. One centers on the traditional role of organizing the system for the federally funded training and labor market exchange. The second is the optional unified state plan.

During the 1980s the number of states allocating their own funds for training grew–most often tied to economic development initiatives. At the same time, continuing concerns were being voiced by the employer community that young people were not graduating from schools and colleges with the skills they needed to succeed in the workplace. These two pressure points—allocating state dollars and responding to employer demands—led most governors to take a serious look at how they could better use federal workforce development dollars flowing into their states. A key goal was to find ways to better coordinate the work of multiple agencies involved in workforce-related activities.

This led to several states establishing state-driven, rather than federally-driven, workforce development oversight bodies. These organizations in most cases incorporated the duties of the state job training council that had done the JTPA work at the state level. Thus, the WIA has a "grandfathering-in" clause recognizing these state organizations if they existed before December 1997.

The state Workforce Investment Boards (WIBs) created by the WIA reflect growing recognition that creation of a workforce development system will require a wider set of stakeholders than did previous federal laws. Essentially, in the past the state council's power was limited to advising the governor. Under the WIA, the governor remains the agent in charge but the WIB has a strong hand. The governor is a WIB member, but he or she will need to balance the interests of powerful stakeholders who are his or her peers on the WIB.

*The WIA does recognize that states and localities will need to treat training providers for youth differently than they do those predominantly serving adults.*

Among the required WIB participants are four state legislators (two from each chamber) and chief elected officials from local communities. Membership is broadened further by the mandated inclusion of people with experience in youth services and juvenile justice. And the increased involvement of employer organizations at the state and local level, in part due to the STW effort, will make the voice of employers even more powerful than before.

The unified plan allows a state to submit just one plan to the federal government. This can be viewed as a governance experiment. Lessons learned from the states that decide to pursue the unified plan will no doubt strongly influence the governance debate in the future. The unified plan idea will be a big challenge at the federal level. It will, for the first time, require unprecedented coordination. Five departments—Labor, Education, Agriculture, Housing and Urban Development, and Health and Social Services—and several subagencies within each of them will have to rationalize their own grant-making processes, information requirements and accountability mechanisms. So if the states want it they will have to push to make it a reality.

The local WIBs are granted significant responsibilities, but, unlike the Private Industry Councils (PICs) under JTPA, they cannot directly operate programs (with a few exceptions). The state must establish processes with elected officials that previously were not required in federal law, though they may have been the practice. For example, local boards will have more say over how the labor exchange and information services will be organized. That means many of the core tasks of the Job Service are no longer protected by a direct line of funding to the U.S. Employment Service.

A key driver behind the new—and untested — idea of requiring training institution certification is customer choice. Selecting training providers has been a state and local decision since the passage of CETA, when the federal government removed itself from pre-selection of training institutions. The WIA maintains this tradition, but with a twist. The state is to establish an accreditation process and then maintain a list of providers found eligible. Education agencies that are familiar with formal accreditation for their institutions are in the best position to get on the original list, but staying there will not be easy. The demands for new and different information will force all training providers to conduct business in a different way.

The WIA does recognize that states and localities will need to treat training providers for youth differently than they do those predominantly serving adults. It is too early to know how this new wrinkle will play out, but all institutions must become familiar with the information and accountability requirements if they want to be a part of the workforce development system in their state.

Training institutions will do well to pay particular attention to the performance criteria regarding the number of graduates receiving certification or license to practice in a profession or occupation. While Congress felt it had to be careful about promoting the use of skill standards anywhere in the legislation (due to strong objections from conservative groups) it has not abandoned the idea—as witnessed by this certification criteria.

Another key thing to watch for at the local level is

the development of employer-led intermediary organizations such as Private Industry Councils (PICs) to assist in a range of activities. The STW initiative has helped launch a growing number of these new organizations and they are popular among employers. Many of them are strong advocates of using skill standards to help ensure that training institutions' curricula meets workforce needs.

## Key Elements

### *State Workforce Investment Board*

Membership on the state WIB includes the following: the governor; two members from each chamber of the state legislature, appointed by that chamber's presiding officer; representatives of business; chief elected officials representing cities and counties; representatives of labor organizations; representatives of individuals and organizations with experience in youth activities; representatives of individuals with experience and expertise in workforce activities, including chief executive officers of community colleges and community-based organizations; state officials with responsibility for one-stop centers; and other representatives and state agency officials responsible for economic development and juvenile justice.

The governor appoints the chairperson of the WIB from among the business representatives, who constitute a majority of the board's members. The WIA does not specify terms for board members. In the case of certain members, the governors receive names from appropriate organizations and make nominations from those suggestions. Under JTPA, states had workforce boards or state job training coordinating councils, but state legislators and those with experience in youth activities are new additions to the board.

The board is to help the governor: develop a five-year strategic plan describing statewide workforce development activities; develop and continuously improve a statewide system of workforce investment activities; designate local workforce investment areas; develop an allocation formula for distribution of funds; develop comprehensive state performance measures; prepare the annual report to the secretary of labor; develop statewide employment statistics; and apply for incentive grants for performance.

In lieu of creating an entirely new organization, states may use existing organizations such as a state council or state workforce development board that was in existence on December 31, 1997 or is substantially similar in makeup to the state board as described in the law. It must include representatives of business and labor organizations in the state.

### State Five-Year Plan

To be eligible for federal funds under the WIA or Wagner-Peyser, a state must submit a single plan that outlines a five-year strategy for a statewide workforce investment system. (Under JTPA states submitted two-year plans.) The state plan must describe the state board and how it collaborated in developing the state plan and will continue to collaborate. The plan must also describe state-imposed requirements for the statewide workforce investment system; the performance accountability system developed for workforce investment activities to be carried out through the statewide workforce investment system; the needs of the state with regard to current and projected employment opportunities by occupation, including the job skills necessary to obtain such employment; the state's skill and economic development needs; and the type and availability of workforce investment activities statewide. In addition, the state plan must identify: its designated local areas, with a description of the process used to designate them; the criteria to be used by chief elected officials in appointing members of local WIBs; detailed plans for providing employment services within each state as required under Section 8 of the Wagner-Peyser Act; and state procedures that will be used to ensure coordination and avoid duplication among workforce investment activities.

The plan also must include these elements:

- A description of common data-collection and -reporting requirements among various programs;
- A process for public comment, including solicitation of remarks from business and labor representatives, and public input into development of the plan;
- Details of how the state will use federal workforce funds to leverage other federal, state,

local and private resources;

- Assurances that the state will provide the necessary fiscal control and fund accounting procedures;
- Descriptions of the methods and factors the state will use in distributing funds to local areas for youth activities and adult employment and training activities;
- Information specifying the actions that constitute a conflict of interest prohibited in the state;
- A strategy for helping local areas develop and implement fully operational one-stop delivery systems;
- A description of the competitive process to be used by the state;
- A description of employment and training activities for dislocated workers, including how the state will provide rapid-response activities; and
- A description of the strategy for providing comprehensive services to eligible youth—particularly those recognized as having significant barriers to employment.

A state may submit modifications to the plan as necessary during the five-year period.

### *State Unified Plan*

The state unified plan allows a state to fulfill the requirements of various programs by submitting one document. A state unified plan must cover one or more of the first four of the bulleted activities listed below and may cover one or more of the rest. If an included federal program has requirements pertaining to a plan or application, those requirements must be followed. A state unified plan also must include a description of methods used to jointly plan and coordinate programs and activities, and assurances that entities responsible for planning or administering programs and activities can review and comment on all portions of the unified plan.

A state may submit a unified plan for two or more of the following:

- Secondary vocational education programs authorized under the Carl D. Perkins Vocational and Applied Technology Education Act;
- Postsecondary vocational education programs authorized under the Carl D. Perkins Vocational and Applied Technology Education Act (a state may include postsecondary vocational education programs authorized under the Perkins Act only with the prior approval of the state legislature);
- Activities authorized under the WIA's Title I (Workforce Investment Systems) and Title II (Adult Education and Literacy);
- Work requirements and employment and training programs authorized under the Food Stamp Act;
- Worker adjustment activities authorized under Chapter 2 of Title II of the Trade Act of 1974;
- Programs authorized under the Wagner-Peyser Act;
- Programs authorized under Title I of the Rehabilitation Act of 1973, except for the client assistance program;
- Job counseling, training and placement services for veterans;
- Programs authorized under state unemployment compensation laws (in accordance with applicable federal law);
- Programs of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 authorized under part A of Title IV of the Social Security Act;
- Programs authorized under Title V of the Older Americans Act of 1965;
- Training activities carried out by the U.S. Department of Housing and Urban Development; and
- Programs authorized under the Community Services Block Grant Act.

The appropriate secretary is authorized to approve the portion of the state unified plan relating to the activity or program over which he or she has administrative authority. Upon approval by the appropriate secretary, that portion can be implemented. The appropriate secretary can disapprove his or her portion of the plan if that portion is not consistent with the requirements of the federal statute authorizing the activity or program—including the criteria for approval of a plan or application, if any—or if the plan is not consistent with the coordination requirements previously outlined in this guide.

For the WIA (Titles I and II) and for the Carl D. Perkins Vocational and Applied Technology Education Act, the term "criteria for approval of a state plan" includes a requirement of agreement between the state and the appropriate secretary regarding state performance measures, including levels of performance.

If a state unified plan is approved the state is not required to submit any other plan or application.

### *Designation of Local Areas*

Each state is divided into local workforce investment areas. These are similar to the service delivery areas found in the JTPA except that the threshold population figures rise from 200,000 to 500,000.

The governor must approve requests for designation from units of general local government with a population of 500,000 or more. In addition, units of local government (or combinations of such units) with a population of 200,000 or more that were service delivery areas under the JTPA are to receive temporary designation if they met JTPA performance measures during the preceding two years and displayed fiscal integrity. If such areas substantially meet local performance measures for up to two subsequent years, the designation extends through the end of the state plan. The act also grandfathers service delivery areas established under previously enacted state laws. Any state that was a single state service delivery area under the JTPA as of July 1, 1998, may designate as a single state local area.

Each one of these local workforce areas must have a local workforce investment board.

### *Local Workforce Investment Board*

Under the WIA, membership includes:

- Representatives of business in the local area;
- Representatives of local educational entities;
- Representatives of labor organizations;
- Representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present);
- Representatives of economic development agencies, including private-sector economic development entities; and
- Representatives of each of the one-stop partners.

**The governor is to take the following into account in designating local areas:**

- **Geographic areas served by local and intermediate educational agencies;**
- **Geographic areas served by postsecondary educational institutions and area vocational education schools;**
- **Consistency with labor market areas;**
- **Distances people will need to travel to receive services; and**
- **Resources available locally to effectively administer activities.**

The majority of local board members must be representatives of the business community, and the board is to select its chair from among business members.

Responsibilities of the local board include:

- Selecting one-stop operators and youth providers, the latter based on recommendations of the youth council;
- Identifying eligible providers of training services;
- Developing a local plan (each local board develops and submits to the governor a comprehensive five-year local plan, in partnership with the appropriate chief elected official);
- Developing a budget (The chief elected official of the local area serves as the recipient of the local grant but can designate an entity to serve as a local grant sub-recipient for such funds or as a local fiscal agent. The local board may employ staff. The local board may solicit and accept grants and donations from sources other than federal funds made available under this act.);
- Oversight (the local board, in partnership with the chief elected official, oversees local youth activities, employment and training activities, and the one-stop delivery system);
- Setting local performance measures (the local board negotiates with the chief elected official and the governor to reach agreement on

BEST COPY AVAILABLE

## Local Plan Elements

The local plan:

- Identifies the workforce investment needs of businesses, job seekers and workers;
- Examines current and projected employment opportunities and job skills required;
- Describes the one-stop delivery system to be established or designated, and performance measurement;
- Describes and assesses the availability and types of adult and dislocated worker employment and training activities;
- Describes the coordination of local workforce investment and statewide rapid-response activities; and
- Describes and assesses the availability and types of youth activities, identifying successful providers.

local performance measures);

- Developing an employment statistics system (the local board helps the governor develop the statewide employment statistics system);
- Establishing employer linkages (the local board is to coordinate workforce investment activities with economic development strategies and develop other employer linkages with such activities); and
- Connecting, brokering and coaching (the local board is to promote the participation of private-sector employers in the statewide workforce investment system and ensure the effective provision, through the system, of connecting, brokering and coaching activities through intermediaries such as the one-stop operator in the local area or other organizations, to help employers meet hiring needs).

The local board cannot provide training services unless it shows the governor there are too few eligible training providers to meet local demand, demonstrates that it meets the requirements to be a training provider and shows that the training prepares participants for an occupation that is in demand locally. Waivers of the training prohibition may not exceed one year, but may be renewed for additional periods not to exceed one year.

Each local board is to have a youth council, as described in the youth section of this guide.

### *Eligible Training Providers*

The WIA sets requirements training program providers must meet to be eligible to receive adult or dislocated worker funds. There are requirements for initial and continued eligibility.

Under initial eligibility requirements, postsecondary institutions certified under the Higher Education Act that provide a program leading to a two- or four-year degree or certificate, or that carry out an apprenticeship program registered under the National Apprenticeship Act, are automatically eligible to receive funds if they file an appropriate application with the local board. Other program providers must meet alternative criteria established by the governor for initial eligibility—including achievement of appropriate levels of performance if the provider previously provided training services. Subsequent to the initial eligibility period, which generally will not exceed one year, all providers (including those that were automatically eligible) must meet performance criteria

## Performance Criteria for Eligible Training Providers

Performance criteria include:

- Program participants' rate of completion;
- Percentage of program participants gaining unsubsidized employment (which may include the percentage gaining such employment in occupations related to the program); and
- Wages at placement of such individuals.

For program participants receiving assistance under the WIA, performance criteria include:

- Percentage completing the program and gaining unsubsidized employment;
- Retention in such employment and wage rate after six months; and
- Rates of licensure or certification, as appropriate.

Each provider also must submit information related to program costs.



BEST COPY AVAILABLE

established by the governor to maintain eligibility.

The local board may modify the performance criteria for local providers' programs by increasing performance levels above the minimum established by the governor.

Performance information for each eligible program is to be provided annually to the local board. Governors or local boards may require providers to submit additional program-specific information. If such requests impose extraordinary costs on providers, the governor or local board is to provide access to cost-effective methods of collecting the information, or the governor is to provide additional resources to help collect it. The local board or the governor also may accept performance information consistent with the requirements of the Higher Education Act to fulfill these requirements. On-the-job training (OJT) and customized training are not subject to these requirements, but the governor may require these providers to give performance information to the one-stop operator and may establish performance criteria relating to such providers.

Local boards are to place all initially eligible institutions on a list, and add to that list all providers that are subsequently determined eligible, accompanied by information on each provider's program performance and cost. The local board is to submit the list to the state and if the state agency determines within 30 days that the provider does not meet the criteria, the state is to remove the provider from the list. At the end of the 30-day period the provider is eligible to receive funds. The state distributes a single list of providers identified from all local areas, making it available through the one-stop system. A participant may select any eligible program in the state if all other criteria relating to eligibility for training services are met. States may enter into reciprocal agreements to allow eligible training providers in one state to accept individual training accounts provided in another state.

The local board is responsible for identifying eligible providers of youth activities by awarding grants or contracts on a competitive basis, based on the recommendations of the youth council and criteria contained in the state plan, and by conducting oversight with respect to local providers.

# Allocations and Formulas

Almost none of the various federal programs governing workforce development cover all parties that need assistance. And different laws have focused on specific groups, such as the unemployed, people in certain geographic areas and people with various disabilities. By far the most common target of workforce development programs has been an individual's income.

The WIA pushes toward more universality—as is the case in most industrialized nations. The core services for adults under the one-stop requirement and the improved access to better information for youth and adults are examples of this. Congress has not yet, however, chosen to sufficiently increase funding for a full-scale, universal workforce development system – making it difficult for states and localities to provide universal access to information.

*Eighty-five percent of the adult and youth funds are allocated to local areas, with the rest reserved for statewide activities.*

In the end, Congress still chooses to aim the bulk of the funds at employment, income, handicapping condition and educational deficits. But it has given the states new responsibility for sorting out how best to fulfill the targeting task.

The Workforce Investment Board (WIB) and the governor have more power to allocate more funds under WIA than under previous federal legislation. The WIA gives the states more authority in three key ways:

- By eliminating set-asides such as the 8 percent of state funds that were typically transferred to the state department of education, and the explicit requirement that governors designate a State Occupational Information Coordinating Council. The functions contained in such set-asides are still there, but now the states are allowed to establish mechanisms through which these functions can be carried out.
- By leaving it to the states to determine the sub-state allocation formulas. Congress performed that task in the past.
- By requiring the states to establish accreditation of program eligibility criteria.

The WIA authorizes appropriations through FY 2003 for workforce investment activities for three groups—adults, youth and dislocated workers—and a funding stream for adult education and literacy.

Eighty-five percent of the adult and youth funds are allocated to local areas, with the rest reserved for statewide activities. Funds in excess of $1 billion that are appropriated for youth (up to $250 million) are to be used by the labor secretary for youth opportunity grants. Of the amounts appropriated for dislocated workers, 20 percent is reserved for the secretary to administer national emergency grants and dislocated worker demonstrations and technical assistance. Sixty percent of the remainder of dislocated worker funds are allocated to local areas, with 15 percent reserved for statewide activities and 25 percent reserved for state rapid-response activities.

State and sub-state formulas under each of the funding streams are similar to current law. However, the minimum amount a state may receive (known as the small state minimum) would be increased under the adult and youth formulas if appropriations exceed the amount allocated to states in FY 1998. Also, a 100 percent hold harmless has been added to the adult and youth formulas to ensure that no state would receive less than its FY 1998 allocation. In addition, within states, there would be no local hold harmless for the first two years. The state also may adjust up to 30 percent of the adult and youth sub-state formulas by incorporating additional factors related to high poverty rates and unemployment. There is a separate authorization for national activities.

### *State Allotments*

Allotments to the states are based on formulas that take the following into account:



BEST COPY AVAILABLE

***For funds to be used for youth***, each of these three factors (weighed against the corresponding numbers in other states) count for one third of the allocation: the number of unemployed in areas of substantial unemployment in the state (6.5 percent or more), the number of unemployed statewide in excess of 4.5 percent and the number of economically disadvantaged youth (an individual 16-21 who receives an income, or is a member of a family that receives a total family income, that, in relation to family size, does not exceed the higher of the poverty line or 70 percent of the lower living standard income level).

***For funds to be used for adults,*** each of these three factors (weighed against the corresponding numbers in other states) count for one third of the allocation: the number of unemployed in areas of substantial unemployment in the state, the number of unemployed statewide in excess of 4.5 percent and the number of economically disadvantaged adults (an adult who receives an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of the poverty line or 70 percent of the lower living standard income level).

***For funds to be used for dislocated workers,*** each of these three factors (weighed against the corresponding numbers in other states) count for one third of the allocation: the number of unemployed people in the state, the number of unemployed statewide in excess of 4.5 percent and the number of long-term unemployed (15 weeks or longer).

Shifting of funds among funding streams is permitted. Generally, states use the same formula in making sub-state allocations, although in the case of the youth and adult stream, states can use the formula and additional factors.

### *Adult education and literacy allocations and formulas:*

- Of the amount appropriated, 1.5 percent is for National Institute for Literacy activities and 1.5 percent is for national leadership activities. The amount appropriated to each cannot exceed $8 million. Another 1.73 percent goes to the secretary of labor for incentive grants to states that exceed performance levels.
- The rest of the dollars go to states with approved plans. Each agency of an outlying area (the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia and the Republic of Palau) receives $100,000 and each state agency receives $250,000. If additional dollars are available, the secretary provides additional amounts to the states and outlying areas in the same relationship to such sum as the number of qualifying adults in the state or outlying area served by the eligible agency bears to the number of such adults in all states and outlying areas.

### *State distribution of funds:*

- 82.5 percent for grants and contracts to eligible providers and programs for individuals in correctional institutions and other institutionalized individuals; not more than 10 percent of this total can be use for correctional education.
- 12.5 percent for state leadership activities.
- 5 percent or $65,000, whichever is greater, for the agency's administrative expenses.

States must provide a non-federal contribution or matching funds in order to receive federal funds. In the case of an outlying area, 12 percent of the total amount of funds expended for adult education and literacy activities must be matched, except that the secretary may decrease the amount of funds and, in the case of an eligible agency serving a state, 25 percent of the total amount of funds expended for adult education and literacy activities in the state. The non-federal contribution can be cash or in-kind, is to be fairly evaluated and is to include only non-federal funds that are used for adult education and literacy activities.

# One-Stop Delivery System

Through the WIA, Congress has constructed an American version of a universal labor exchange. Time will tell if it will work.

During the Great Depression the unemployment insurance system was established through a payroll tax. A small portion of that tax was dedicated to job search functions—thus was created the federal/state employment service or Job Service labor exchange system. Every piece of employment and training legislation since the 1960s has tried to carve out a satisfactory role for the Job Service, with varying degrees of success. Employers, responsible for the payroll tax, have never been supportive of turning the job-matching function over to local communities. The central argument — reflected in the WIA—has always been that the Job Service's core purpose is to ensure that people collecting unemployment insurance get jobs as quickly as possible to hold down the cost of payroll tax. Through the years the Job Service has seen substantial reductions in its core funding, and many states have had to close local offices and drastically reduce statewide coverage of the one universal service within the workforce development system.

*Most postsecondary education institutions and many vocational-technical centers provide job placement services for their students. If these institutions and centers receive one-stop designation, they can get WIA funds.*

In early 1990s, the Employment and Training Administration (ETA) initiated a major change in this system by launching the *one-stop initiative.* Substantial funds were allocated to all states on a one-time, three-year basis to upgrade labor exchange operations and find ways to establish stronger linkages with the other sub-systems of the overall workforce development system. Congress has codified the one-stop systems initiative, but the extra dollars states had during the development phase are not in the WIA pipeline. States and localities must find the resources to make the one-stop center concept the service centerpiece it is envisioned to be under the WIA. (Some states have allocated state general funds to do this, but most have not.)

The one-stop concept has two central thrusts under the WIA. The first is job search for adults. the second is providing adults with solid and up-to-date information about the labor market and training options. No one can enter a training program without having gone through a job search. When jobs are not obtained, the job-seeker can choose his or her own training vendor. When there is not enough money to provide training for all those who want it, welfare recipients have first call on training resources.

The most prescriptive parts of the WIA relate to core and intensive services to be provided by the one-stop centers. They are common features across all state lines. But the opportunity to provide core services has been opened up to all vendors, including private corporations. Education institutions—alone or in consortia with other organizations—can become certified one-stop centers. Most postsecondary education institutions and many vocational-technical centers provide job placement services for their students. If these institutions and centers receive one-stop designation, they can get WIA funds.

The WIA's language regarding "training" essentially repeats previous workforce legislation priorities. Training must be related to labor market needs. It can be classroom based, on the job or a combination of both. It can combine literacy education with occupational training. It can be training to become an entrepreneur.

The major new feature—driven by the customer choice ideal—is the requirement that a voucher system be established to permit adults to choose their own training provider. This change requires education and training institutions to organize themselves in a substantially different manner. The

BEST COPY AVAILABLE

internal demands on staff and faculty should not be underestimated. (See Appendix for "Required Elements of the One-Stop Delivery System" checklists.)

Several other major implications regarding training are embedded in other parts of the legislation. While the need for strong connections to labor markets is not new, being able to prove that training is rooted in the knowledge and skills required in the workplace strongly suggests that the best-positioned training providers will be those that provide occupational training that is directly tied to industry-recognized standards and credentials. Being able to advertise through the one-stop center that students will receive training based on national or state-recognized skill standards will provide an extra benefit to the institution and its trainees.

Information requirements go far beyond anything required of a one-stop center in the past. In order to facilitate consumer choice the WIA requires all parts of the education and training community to provide performance and program cost data. This information will no longer be hard to find; it will be on the computer screen. (See the "Accountability" and "Information Services" sections of this guide for more information.)

Each local workforce area must establish a one-stop delivery system with at least one physical center. Services also can be provided through a network of affiliated sites and eligible one-stop partners. These sites can be specialized and address specific needs, such as those of dislocated workers. The local WIB enters into a memorandum of understanding with the various one-stop partners and the board designates or certifies the operators.

# Adults and Dislocated Workers

Not many changes were made from previous acts with respect to services for adults and dislocated workers. There always has been a legislative roller-coaster phenomenon that when there has been a downturn in the economy as a whole or in specific industries, legislation is enacted to set up a new categorical program (to deal with trade adjustment or defense downsizing, for example). Since the early 1980s states have grown increasingly sophisticated in providing rapid-response services to both employers and employees when dislocation occurs. However, as did JTPA, the WIA sets the core framework for serving dislocated workers.

Adults and dislocated workers are to be served through the one-stop system. In JTPA, activities of dislocated workers were part of a separate title, but the WIA combines activities of adults and dislocated workers. There continues to be separate funding for dislocated workers but the intent is to serve them through the one-stop delivery system, and there are other services in the WIA that cover economic dislocation—such as rapid response and emergency assistance. Service to adults and dislocated workers is not based on income limitations or on individuals facing barriers to employment.

### *Definitions*

**The WIA defines *an adult* as an individual who is 18 or older.** Any adult may use the one-stop delivery system for core services.

**The WIA defines a *dislocated worker* as one who:**

- Has been terminated or laid off, or has received notice of termination or layoff from employment, as a result of permanent closure of, or substantial layoff at, a plant, facility or enterprise;
- Is eligible for or has exhausted entitlement to unemployment compensation; or has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center, attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a state unemployment compensation law, and is unlikely to return to a previous industry or occupation;
- Is employed at a facility the employer has announced will close within 180 days; or, for purposes of eligibility to receive services other than training, intensive or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;
- Was self-employed (including employment as a farmer, rancher or fisherman) but is unemployed as a result of general economic conditions or a natural disaster in his or her community; or is a displaced homemaker — an individual who has been providing unpaid services to family members in the home and who has been dependent on the income of another family member but is no longer supported by that income; and
- Is unemployed or underemployed and experiencing difficulty getting or upgrading employment.

Like JTPA, the WIA requires states to provide rapid-response activities—state-funded activities to help workers get jobs after they have been dislocated by the permanent closure or mass layoffs at a plant, facility or enterprise, or by a natural or other disaster.

These services include:

- Establishing on-site contact with employers and employee representatives;
- Providing information on and access to available employment and training activities;
- Helping establish a labor-management committee, voluntarily agreed to by both sides,

that can devise and implement a strategy for assessing and meeting dislocated workers' employment and training needs;

- Providing emergency assistance adapted to the particular closure, layoff or disaster; and
- Helping the local community develop a coordinated response and access state economic development assistance.

The secretary of labor is authorized to award national emergency grants providing employment and training assistance to workers affected by major economic dislocations; to governors of states suffering an emergency or major disaster; and to a state or local board needing additional assistance for eligible dislocated workers, based on demonstrated need. Eligibility for employment and training assistance includes dislocated workers and certain civilian Department of Defense employees affected by downsizing, and certain recently separated members of the armed forces. Participant eligibility for disaster relief includes, in addition to dislocated workers, the long-term unemployed and individuals temporarily or permanently unemployed as a consequence of the disaster.

# Youth

Services to youth always have been a part of the workforce development system. But many of those services were short-term, quick-fix programs which, to almost no one's surprise, proved to be of marginal value to some of our youth who are at the greatest risk. National evaluations published at the beginning of this decade showed that the return on investment of public dollars in these programs was negative.

Organizations concerned about at-risk youth responded to this situation by identifying best-practice standards and promoting them widely. The results of these efforts are reflected in the WIA. The new youth section more explicitly recognizes that the planning process for serving youth—as opposed to adults—must substantively address different issues and engage distinct organizations. It recognizes that services beyond just preparing for a job often are required. It recognizes that long-term connections with a program is desirable. It promotes year-round services rather than short-term or summer-only programs.

The WIA also is slowly building back up the total amount of funds available for youth—and pushing collaboration among youth-serving agencies in the process. In addition to the guaranteed grant funds eligible communities will be enticed to apply for are what could be called "restoration grants." The Youth Opportunities competitive grants will stress connections between all community youth-serving agencies.

Also, because of an age overlap in the WIA's definitions of youth and adults, an astute youth-serving agency can tap into two funding sources to serve the same individual. The WIA defines "youth" as individuals up to 21 years old and "adults" as 18 and older.

Another attempt to strengthen the connecting links between youth-serving agencies comes in the amendments to the Job Corps. For the first time since the Corps was established in the mid-1960s, centers must coordinate their work with that of other education and training providers. If you live in a community with a Job Corps center it would be a wise idea to make contact sooner rather than later to begin coordination.

*Because of an age overlap in the WIA's definitions of youth and adults, an astute youth-serving agency can tap into two funding sources to serve the same individual. The WIA defines "youth" as individuals up to 21 years old and "adults" as 18 and older.*

There also are some important prohibition clauses in this area of the law. They resulted from the concerns of conservative groups that worried about workforce preparation gaining too dominant a role in the K-12 system. (See the "Prohibitions" box on page 25.)

## Key Elements

The WIA defines eligible youth as no younger than 14 or older than 21, with low income (receiving public assistance, food stamps or certain Social Security payments; homeless; or having an income below the poverty line or 70 percent of the lower living standard income level) and one or more of the following characteristics:

- Deficient in basic literacy skills;
- A school dropout;
- Homeless, a runaway or a foster child;
- Pregnant or a parent;
- A criminal offender; and/or
- An individual requiring assistance to complete an educational program or to secure and retain employment.

### *Youth Council*

The law calls for establishment of a youth council as a subgroup of the local WIB. Its members are appointed by the local board in cooperation with the chief elected official or officials. Membership is to include: members of the local WIB with special interest or expertise in youth policy; representatives of youth service agencies, including those in juvenile justice and local law enforcement; repre-

BEST COPY AVAILABLE

sentatives of local public housing authorities; parents of eligible youth seeking assistance; former participants and representatives of organizations with experience related to youth activities; representatives of the Job Corps, as appropriate; and other individuals — as the chair of the local board, in cooperation with the chief elected official, deems appropriate.

Duties of the youth council are to:

- Develop portions of the local plan related to eligible youth;
- Recommend eligible providers of youth activities to be awarded grants or contracts on a competitive basis by the local board;
- Oversee eligible local providers of youth activities; and
- Coordinate WIA-authorized youth activities in the local area, including establishing linkages with educational agencies responsible for delivery of service; and other duties deemed appropriate by the local board chair.

### *Youth Activities*

The WIA provides for both statewide and local youth activities. The state's responsibilities are to disseminate a list of eligible providers of youth activities, conduct evaluations, provide incentive grants, provide technical assistance, help establish a one-stop delivery system, provide additional assistance to local areas with high concentrations of eligible youth and carry out statewide activities described in local elements and requirements.

The responsibilities of local areas are to use state-allocated funds to serve eligible youth with programs that meet these criteria. They must provide an objective assessment of the academic level, skill level and service needs of each participant that includes a review of the person's basic and occupational skills, prior work experience, employability, interests and aptitudes (including those for nontraditional jobs), and an assessment of the supportive service and developmental needs of the participant (if the provider doesn't already have a recent assessment).

The local area must develop service strategies that identify an employment goal and appropriate achievement objectives and services for program participants, prepare them for appropriate postsecondary educational opportunities that provide strong linkages between academic and occupational learning and prepare them for unsubsidized employment opportunities, and offer effective connections to intermediaries with strong links to the job market and local and regional employers.

Elements that local areas may use to achieve those ends include:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid and unpaid work experiences, including internships and job shadowing;
- Occupational skill training;
- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after completing participation; and
- Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral.

### *Youth Opportunity Grants*

To increase the long-term employment of youth ages 14 through 21 living in high-poverty areas, the WIA authorizes Youth Opportunity grants for up to five years to local boards and other applicants serving communities that are empowerment zones/enterprise communities, high-poverty areas designated by the states or high-poverty areas located on Indian reservations or serving Oklahoma Indians or Alaska native villages or native groups.

To be eligible, a local board or other entity must submit an application to the secretary of labor that includes a description of activities that will be provided to youth in the target community, perfor-

mance measures, linkages to other activities and community support (including financial). Funds provided are to be used for the youth activities required under the formula program and youth development activities such as leadership development, community service and recreation. In addition, the program is to provide intensive placement services and follow-up services for not less than 24 months after a youth has completed participation.

The WIA reserves amounts each fiscal year for these grants.

### *Job Corps*

Its provisions are amended to strengthen linkages between Job Corps centers and state workforce development systems and the local communities in which they are located. Each Job Corps center must establish an industry council to recommend appropriate vocational training for the center to meet local labor market needs. Each center also must have a business and community liaison to establish and develop relationships and networks with employers, applicable one-stop centers and applicable local boards – for the purposes of providing job opportunities for Job Corps graduates and establishing and developing relationships with members of the community in which the Job Corps center is located.

Applicants would be assigned to centers nearest their residence, with certain exceptions. Job Corps center performance indicators and expected levels of performance would be established for graduation, placement, retention, earnings, entry into postsecondary education or advanced training, and skill gains of graduates, and students would be provided with follow-up counseling for up to 12 months after graduation. The WIA also codifies current administrative practices related to a zero-tolerance policy on drug use or violence committed by an enrollee.

The Job Corps is retained as a separate national program. It serves individuals who are 16 through 21, low income and have one or more of the following characteristics:

- Basic skills deficient
- School dropout;
- Homeless, runaway or foster child;
- Parent; and/or
- Require additional education, vocational training or intensive counseling and related assistance to successfully complete schoolwork or secure and retain a job.

## PROHIBITIONS

**The WIA contains these important prohibitions that can affect youth activities:**

- **No funds made available under the WIA can be used for the following purposes: to develop or implement education curricula for school systems in the state; to provide funding for or carry out activities that were funded under the STWOA unless the programs funded under the WIA serve only those eligible to participate in programs under the WIA; to provide any activity for eligible youth who are not school dropouts if participation in that activity would interfere with or replace the youth's regular academic requirements.**
- **No provision of the WIA can be construed to authorize any federal department, agency, officer or employee to exercise any direction, supervision or control over the curriculum, program of instruction, administration or personnel of any educational institution, school, or school system; or over the selection of library resources, textbooks or other printed or published instructional materials by any educational institution, school or school system.**

BEST COPY AVAILABLE

# Performance Accountability Measures

Under JTPA, for the first time states gained a role in establishing performance criteria and holding sub-state grantees accountable. This approach was pursued in the Literacy Act in 1991. The WIA continues the practice of the federal government being responsible for establishing the framework for the accountability system, but local grantees are only measured against others within their own state. Sunshine requirements continue. The federal government will publish state-by-state comparisons and states are required to publish comparisons within the state.

There are some new and significant twists. Continuous improvement processes are to be established. Consumer satisfaction must be taken into account. The states are required to conduct formal evaluations. There will be links between job training and adult education program performance. And the stakes are higher. The carrot approach—rewarding those who do well on the performance line-up—first used under JTPA has been maintained and deepened. Incentive grants will go to states that perform well in workforce investment and adult and vocational education. Previously, incentive grants were only part of the JTPA system. This will require new cooperation among the three systems. States can receive up to $3 million a year.

## Key Elements

State performance measures include core indicators for adults, young adults 19 through 21, youth and customer satisfaction.

### Core Performance Indicators of Employment and Training Activities for Adults and Youth (Eligible Youth Age 19 Through 21)

- Entry into unsubsidized employment;
- Retention in unsubsidized employment for six months;
- Earnings received in unsubsidized employment six months after entry; and
- Attainment of a recognized credential related to achievement of educational skills—which may include attainment of a secondary school diploma or its recognized equivalent, or occupational skills, by participants who enter unsubsidized employment, or by participants who are eligible youth age 19 through 21 who enter postsecondary education, advanced training or unsubsidized employment.

### Core Performance Indicators for Youth Activities for Eligible Youth 14 Through 18

- Attainment of basic skills and, as appropriate, work readiness or occupational skills;
- Attainment of secondary school diplomas and their recognized equivalents;
- Placement and retention in postsecondary education or advanced training, or placement and retention in military service, employment or qualified apprenticeships.

### Performance Indicator for Customer Satisfaction

The performance indicator for customer satisfaction is both the satisfaction of employers and of participants receiving services from workforce investment activities. Customer satisfaction may be measured through surveys conducted upon conclusion of participation in workforce investment activities.

The expected level of performance for each of the core indicators and the customer satisfaction indicator for the first three years of the state plan will be negotiated by the secretary of labor with each governor, and by each governor with local areas (the boards and chief elected officials), respectively. Negotiations are to take special economic and demographic factors into account, and levels agreed to will be incorporated into the state and

local plans prior to approval. The secretary and each governor will renegotiate levels of performance for the indicators in the fourth and fifth years of the state plan. Failure to meet expected levels of performance will lead to sanctions and exceeding expected levels will give states incentive funds.

States are to prepare and submit to the secretary annual reports on progress in achieving state and local area performance measures. Among the information to be included is performance resulting from serving recipients of public assistance, out-of-school youth, veterans, people with disabilities, displaced homemakers and older individuals. The secretary will disseminate this information to the general public and Congress, including state-by-state comparisons. The bill also requires states to conduct evaluation studies of workforce investment activities, coordinating them with evaluations carried out by the secretary.

The governor also is to establish a fiscal and management accountability information system in the state, based on guidelines issued by the secretary, to monitor and report on activities. The state is to use wage records, consistent with state law, to assist in measuring participants' performance—e.g., verifying employment and earnings.

In order to ensure nationwide comparability of performance data, the secretaries of labor and education are to issue definitions for indicators and levels of performance after consulting with representatives of states and political subdivisions, business and industry, employees, eligible providers of employment and training activities, educators, participants in activities carried out under the WIA, state directors of adult education, providers of adult education, providers of literacy services, individuals with expertise in serving the employment and training needs of eligible youth, parents, and other interested parties with expertise regarding activities authorized under the WIA.

Beginning on July 1, 2000, the secretary will award a grant to states that exceed their adjusted levels of performance for Title I, expected levels of performance for Title II and levels of performance for programs under the vocational education program. Incentive grants can be used for innovative programs consistent with the requirements of the WIA's titles I and II, or the vocational education program. The state grant is to be not less than $750,000 or more than $3 million. If the amount available for grants under this section for a fiscal year is insufficient to award a grant to each state or eligible agency, the secretary will reduce the minimum and maximum grant amount by a uniform percentage.

# Work-Flex

For years state and local officials complained about the rigidity of federal regulations and laws. Over the past decade there has been growing use—from demonstration for only a few states to an allowable tool for all states—of a technique commonly called "waiver authority." Work-flex and its companions such as ed-flex are becoming rather standard tools of the intergovernmental grant-in-aid system.

It is too early to tell how much states will need to use work-flex if they choose to pursue a unified plan. Time will provide the answers.

Be aware that most states have found requests for waivers from local institutions are neither state nor federal law or regulation, but local rules or practice.

## Key Elements

A workforce flexibility partnership demonstration program (work-flex) created in earlier appropriation law allowed the secretary of labor to grant a limited number of states authority to waive provisions of the JTPA. The WIA expands eligibility for work-flex to all states. Pursuant to an approved plan, governors are authorized to approve requests for waivers of statutory or regulatory provisions of Title I submitted by their local workforce areas.

### *Work-Flex Plan*

A work-flex plan implemented by a state must describe:

- The process by which local areas may submit and obtain state approval of applications for waivers of requirements;
- Requirements that are likely to be waived by the state under the plan;
- Requirements that are proposed to be waived;
- Outcomes to be achieved by the waivers; and
- Other measures to be taken to ensure appropriate accountability for federal funds in connection with the waivers.

Prior to submitting a work-flex plan to the secretary for approval, the state is to provide adequate notice and a reasonable opportunity for comment on waiver requests to all interested parties and the general public. The secretary may approve a work-flex plan for a period of not more than five years.

### *Requirements That Cannot Be Waived*

The following requirements cannot be waived:

- WIA requirements related to the basic purposes of Title I; wage and labor standards; grievance procedures and judicial review; nondiscrimination; eligibility of participants; allocation of funds to local areas; establishment and functions of local areas and local boards; review and approval of local plans; and worker rights, participation and protection;
- Requirements from Wagner-Peyser related to provision of services to unemployment insurance claimants and veterans, and to universal access to basic labor exchange services without cost to job seekers; and
- Requirements under the Older Americans Act of 1965 related to the basic purposes of the act, wage and labor standards, participant eligibility in activities, and standards for agreements.

# Wagner-Peyser/Employment Statistics

As was previously noted, improved information is a lynchpin of the WIA. The quality of data—as demanded throughout for use in one-stop centers and for planning, allocating resources and evaluation—must be substantially upgraded. There is recognition that the federal government must do things differently regarding information and statistical services. Passage of the WIA finally affords an opportunity to force changes inside the Department of Labor. There has always been a bifurcation of responsibility between the Bureau of Labor Statistics (BLS) and the Employment and Training Administration regarding which was to be responsible for what related to labor market information—and, most specifically, state and sub-state information. The WIA settles a long-term debate within the department. The BLS is now the labor market information/statistical czar at the federal level.

What is more significant over the long term, however, is a new form of federalism that emerged during the negotiations. The system is to be planned, administered, overseen and evaluated through a cooperative governance structure involving the federal government and states. Both have responsibilities for the system and, to ensure that partnership, the states are part of a formal consultation process that is to start soon. Ten states—to be chosen by all the states, not the federal government—will represent the others. The expectation is that information from the employment statistics system will be available and used throughout the workforce development system.

While states can receive grants for SOICCs already in existence, their efforts cannot duplicate the employment statistics required under Wagner-Peyser. The 1998 Perkins Act also calls for the education secretary to support a NOICC-like entity. Demand for the type of information services for which the SOICCS were responsible have multiplied in the WIA.

The locals are for the first time to be given a voice in what the information system is to contain. This opportunity should not be ignored. Education institutions should collectively start thinking about what they want and need from the labor market information system.

## Key Elements

Title III of the WIA amends the Wagner-Peyser Act by modifying the nation's system of gathering and using employment statistics. The employment statistics system is to be planned, administered, overseen and evaluated through a cooperative governance structure involving the federal government and states.

The secretary of labor is to oversee the development, maintenance and continuous improvement of a nationwide employment statistics system that is to include data from cooperative statistical survey and projection programs and administrative reporting systems that, taken together, enumerate, estimate and project employment opportunities and conditions at national, state and local levels.

### *Statistics*

This system is to include statistics on:

- Employment and unemployment status;
- Industrial distribution of occupations, as well as current and projected employment opportunities, wages, benefits (where data is available) and skill trends by occupation and industry, with particular attention paid to state and local conditions;
- The incidence, industrial and geographical location of, and number of workers displaced by permanent layoffs and plant closings; and
- Employment and earnings information maintained in a longitudinal manner, to be used for research and program evaluation.

### *Other Requirements*

The system also is to include:

- Information on state and local employment opportunities, and other appropriate statisti-

cal data related to labor market dynamics, which is to be current and comprehensive, meeting the various needs of the WIA;
- Procedures to support standardization and aggregation of data from administrative reporting systems of employment-related programs;
- Analysis of data and information for such uses as national, state and local policy-making; implementation of federal policies (including allocation formulas); program planning and evaluation; and researching labor market dynamics;
- Wide dissemination of such data, information and analysis in a user-friendly manner; and voluntary technical standards for dissemination mechanisms; and
- Training programs for effective data dissemination, research and demonstration, and technical assistance.

### *Labor Secretary's Responsibilities*

The secretary's duties with respect to data collection, analysis and dissemination of labor employment statistics for the systems are to:

- Assign responsibilities within the Department of Labor for elements of the employment statistics system to ensure that all statistical and administrative data collected is consistent with appropriate BLS standards and definitions;
- Actively seek the cooperation of other federal agencies to establish and maintain mechanisms for ensuring complementary and nonduplicative work in developing and operating statistical and administrative data collection;
- Eliminate gaps and duplication in statistical undertakings, with the systemization of wage surveys as an early priority;
- Develop and maintain, in collaboration with the BLS and the states, the elements of the employment statistics system, including development of consistent procedures and definitions for use by the states in collecting the data and information; and
- Establish procedures to ensure, system-wide, that data and information are timely, paperwork and reporting requirements are reduced to a minimum, and states and localities are fully involved in developing and continuously improving the system at all levels—including ensuring the provision of necessary budget information to such states and localities.

The secretary—working through the BLS, in cooperation with the states and with the assistance of other appropriate federal agencies—prepares an annual plan which is the mechanism for achieving cooperative management of the nationwide and statewide employment statistics systems that comprise the nationwide system.

The annual plan:

- Describes the steps the secretary has taken in the preceding year and will take in the following five years to carry out other duties;
- Includes results of an annual consumer satisfaction review of the system's performance in addressing the needs of Congress, states, localities, employers, job seekers and other consumers;
- Evaluates the system's performance and recommends improvements—taking into consideration results of the consumer satisfaction review—with particular attention to improvements needed at the state and local levels;
- Justifies annual budget requests by describing yearly priorities;
- Describes current spending (as of the plan's submission date) and spending needed to carry out activities, including costs to states and localities of meeting the plan's requirements; and
- Describes the states' involvement in developing the plan, through formal consultations conducted by the secretary in cooperation

with representatives of the governors of every state and with representatives of local workforce investment boards; the secretary is to establish a consultation process in cooperation with the states.

The secretary—working through the BLS and in cooperation with the states—is to:

- Develop the annual plan and address other employment statistics issues by holding formal consultations at least once each quarter (beginning with the calendar quarter in which the Workforce Investment Act of 1998 is enacted) on the products and administration of the nationwide employment statistics system; and
- Consult with representatives from each of the 10 federal regions of the Department of Labor, elected (pursuant to a process established by the secretary) by and from the ranks of employment statistics directors affiliated with the state agencies.

### *State Responsibilities*

- The governor of a state is to designate a single state agency to be responsible for managing the statewide portions of the employment statistics system and the state's participation in development of the annual plan. In order to receive federal financial assistance, the state agency:
- Consults with state and local employers, participants and local WIBs about the labor market relevance of the data to be collected and disseminated through the statewide employment statistics system;
- Consults with state and local educational agencies concerning provision of employment statistics to secondary and postsecondary school students seeking such information;
- Collects and disseminates for the system—on behalf of the state and its localities—information and data needed;
- Maintains and continuously improves the statewide employment statistics system;
- Meets contract and grant responsibilities for data collection, analysis and dissemination;
- Conducts such other data collection, analysis and dissemination activities as will ensure an effective statewide employment statistics system;
- Actively seeks the participation of other state and local agencies in data collection, analysis and dissemination activities to ensure complementary effort, compatibility and usefulness of data;
- Participates in development of the annual plan; and
- Uses quarterly wage records to help gauge progress on state performance measures.

None of the functions and activities carried out pursuant to this section are to duplicate functions and activities carried out under the Carl D. Perkins Vocational and Applied Technology Education Act.

# National Programs/Responsibilities

The Department of Labor's Employment and Training Administration has consistently been "richer" than such counterpart agencies as the Department of Education's Office of Vocational and Adult Education when it comes to national dollars for use in technical assistance, support of demonstrations, and evaluations. The WIA continues that tradition.

The 21st Century Workforce Commission's creation is the result of the rapidly expanding information technology industry's concerns about worker shortages. The industry previously had pressured Congress to alter immigration law to facilitate recruitment of foreign information technology workers.

## Key Elements

There are three *national programs* under the WIA.

### *Native American Programs*

Native American programs provide grants to support employment and training activities for Indian, Alaska native and native Hawaiian individuals to help them develop their academic, occupational and literacy skills; make them more competitive in the workforce; and promote their communities' economic and social development in accordance with their goals and values. Provisions are similar to those of current law. The Native American Employment and Training Council is retained to advise the secretary on program operations and administration. Authority is added that allows the secretary to waive statutory or regulatory requirements of this program (other than labor standards) pursuant to a request from a grantee.

### *Migrant and Seasonal Farmworker Programs*

Under the WIA these programs are similar to current law. Grants to such farmworkers and their dependents are designed to strengthen workers' ability to obtain, retain or stabilize unsubsidized employment; and to provide supportive services and related assistance. The WIA adds specific eligibility criteria for migrant and seasonal farmworkers.

### *Veterans Workforce Investment Programs*

Under the WIA, these programs retain current law's veterans employment program and expand eligibility to include, in addition to veterans with service-related disabilities and recently separated veterans, veterans with significant barriers to employment and those who served on active duty in the armed forces during a war or a campaign for which a campaign badge was authorized.

There are several research, demonstration and technical-support responsibilities for national programs under the WIA.

The act authorizes the secretary to provide, coordinate and support development of appropriate technical assistance, staff development and other activities—including assistance in replicating programs of demonstrated effectiveness. The secretary also is authorized to help states transition from carrying out activities under old law repealed by the WIA.

Awards to entities other than states or local units of government in excess of $100,000 must be awarded on a competitive basis. In addition, the secretary may use no more than 5 percent of the dislocated worker funds reserved at the national level to provide technical assistance to states that do not meet state performance standards for dislocated workers. These funds may also be used to help states, localities and other entities involved in providing assistance to dislocated workers, in order to promote continuous improvement of assistance to dislocated workers.

The secretary is required to publish a plan every two years in the *Federal Register* describing demonstration and pilot, multi-service, research and multi-state project priorities of the Department of Labor. This plan is to cover the five years following its submission.

### *Demonstration and Pilot Projects*

The secretary is required to carry out demonstration and pilot projects for the purpose of developing and implementing techniques and approaches, and demonstrating the effectiveness of specialized methods, in addressing employment and training needs. Demonstration and pilot projects are to be awarded on a competitive basis, though a noncompetitive award may be made for a project that is funded jointly with other public- or private-sector entities.

### *Multi-Service, Research and Multi-State Projects*

The secretary is required to award grants or contracts to carry out multi-service, research and multi-state projects. Awards of more than $100,000 must be made on a competitive basis. A noncompetitive award may be made, however, for a project that is funded jointly with other public- or private-sector entities that provide a substantial portion of the money. The secretary is required to use a peer review process to evaluate all grants that exceed $500,000.

### *Dislocated Worker Projects*

The secretary is to use not more than 10 percent of dislocated worker funds reserved at the national level to carry out demonstration and pilot, multi-service and multi-state projects relating to dislocated workers' employment and training needs.

### *Evaluations*

The secretary is required to provide for continuing evaluation of programs and activities in order to improve their management and effectiveness. The secretary is authorized to conduct evaluations of other federally funded employment-related programs and activities under other provisions of law.

### *21st Century Workforce Commission*

Another national activity under the WIA is creation of the 21st Century Workforce Commission—a 15-member panel that is to conduct a thorough study of all matters relating to the United States' information technology workforce. Matters to be studied include:

- Skills needed to enter the information technology workforce;
- Ways to expand the number of skilled information technology workers; and
- The relative efficacy of programs in the United States and foreign countries to train information technology workers, with special emphasis on secondary or postsecondary education programs other than four-year baccalaureate programs (including associate's and graduate degree programs).

Not later than six months after its first meeting, the commission is to submit a report to the president and Congress detailing its findings, conclusions and recommendations for legislation and administrative actions. The panel terminates 90 days after it submits its report.

# Adult Education and Literacy

Institutions serving youth should keep in mind that this title provides an additional source of support. The beginning age for participation is 16.

The major shifts in literacy programs center around performance and assessment. This title of the WIA continues efforts begun in the National Literacy Act of 1991 to establish performance benchmarks and ensure their compatibility with other parts of the workforce development system. The WIA now makes more explicit the core indicators the states and local providers must address.

Several assessment issues emerge. The state must document the number of people requiring literacy services. That requirement presents an opportunity for states to combine efforts to determine needs for workforce development services between the WIA's titles 1 (Workforce Investment Systems) and 2 (Adult Education and Literacy). Assessment also requires that individuals participating in adult literacy programs make substantial progress in specific content areas, including problem solving. These more rigorous performance standards will require another look at the types of assessment instruments and programs states use.

Help is on the way. The National Institute for Literacy launched a national initiative called Equipped For the Future (EFF) in 1993 to develop literacy standards. These standards were awaiting publication when this guide went to press. EFF was explicitly designed as a systems reform initiative driven by the needs of the customer—the adult learner. It is meant to promote program improvement and ensure accountability. EFF also will design an assessment framework geared toward promoting improved portable and credible credentials. See www.nifl.gov on the Web for more information about EFF.

## Key Elements

### *Structure*

Provisions of the adult education and literacy title of the WIA cover state and local activities and activities of the National Institute for Literacy.

Responsibility for adult education and literacy programs remains within the education system. The U.S. Department of Education has lead responsibility and designated state education-related agencies are to be responsible for implementation.

### *State Plan*

Each eligible agency must submit a five-year state plan to the education secretary or have one on file. The governor reviews and comments on the plan. It is then subject to a peer review developed by the secretary. The secretary approves or disapproves the plan. Eligible agencies may submit the state plan as part of a comprehensive plan or an application for federal education assistance.

The state plan is to include:

- An objective assessment of the needs of individuals in the state—including those most in need or hardest to serve—for adult education and literacy activities;
- A description of the adult education and literacy activities that will be carried out with funds received;
- A description of how the eligible agency will annually evaluate the effectiveness of adult education and literacy activities, based on performance measures;
- A description of the performance measures and how they will ensure improvement of adult education and literacy activities;
- Assurances that the eligible agency will award at least one grant to an eligible provider offering flexible schedules and the type of support services (such as child care and transportation) needed to enable individuals—including those with disabilities or other special needs—to participate in adult education and literacy activities; and assurances that the eligible provider will try to coordinate with existing support services prior to using adult education and literacy funds for support ser-

vices;

- Assurances that funds received will not be expended for any purpose other than for the activities previously listed;
- A description of how the eligible agency will fund local activities
- Assurances that the eligible agency will expend the funds in a manner consistent with fiscal requirements;
- A description of the process that will be used for public participation and comment regarding the state plan;
- A description of how the eligible agency will develop program strategies for certain populations—including low-income students; individuals with disabilities; single parents and displaced homemakers; and individuals with multiple barriers to educational enhancement, including those with limited English proficiency;
- A description of how adult education and literacy activities and funds will be integrated with other adult education, career development and employment and training activities in the state served by the eligible agency; and
- A description of steps the eligible agency will take to ensure that all organizations have direct and equitable access to apply for grants.

### *Other State Responsibilities*

Additional state responsibilities for adult education and literacy are correctional education, leadership activities and local provisions.

***Correctional education*** funds are for educational programs for criminal offenders in correctional institutions, and for other institutionalized individuals. Examples include academic programs for basic education; special education, as determined by the eligible agency; English literacy; and secondary school credit.

The priority is criminal offenders who are likely to leave the correctional institution within five years of participation in the program. The term "criminal offender" means any individual who is charged with or convicted of any criminal offense. The term "correctional institution" means any prison, jail reformatory, work farm, detention center, halfway house, community-based rehabilitation center or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

***State leadership activities*** include the following adult education and literacy services:

- Establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities—including instruction incorporating phonemic awareness, systematic phonics, fluency and reading comprehension, and instruction provided by volunteers or personnel of a state or outlying area;
- Provision of technical assistance to eligible providers of adult education and literacy activities;
- Provision of technology assistance, including staff training, to eligible providers of adult education and literacy activities, to help those providers improve program quality;
- Support of state or regional networks of literacy resource centers;
- Monitoring and evaluating the quality of, and improvement in, adult education and literacy activities;
- Provision of incentives for program coordination and integration, and for performance awards;
- Development and dissemination of curricula, including those incorporating phonemic awareness, systematic phonics, fluency and reading comprehension;
- Other activities of statewide significance;
- Coordination with existing support services—such as transportation, child care and other assistance—designed to increase rates of enrollment in and successful completion of

adult education and literacy activities—to adults enrolled in such activities;
- Integration of literacy instruction and occupational skill training, and promotion of linkages with employers; and
- Linkages with postsecondary educational institutions.

**Local Provisions.** Each state agency awards multi-year grants or contracts, on a competitive basis, to eligible providers within the state that are to develop, implement and improve adult education and literacy activities. An eligible provider can be a local educational agency; a community-based organization of demonstrated effectiveness; a volunteer literacy organization of demonstrated effectiveness; an institution of higher education; a public or private nonprofit agency; a library; a public housing authority; a nonprofit institution that can provide literacy services to adults and families; or a consortium of agencies, organizations, institutions, libraries or authorities. Each eligible provider receiving a grant or contract is to establish or operate one or more programs that provide services or instruction in one or more of the following categories: adult education and literacy services, including workplace literacy services; family literacy services; or English literacy programs.

Not less than 95 percent of the local grant is to be used for program activities. The remaining amount is to be used for planning, administration, personnel development and interagency coordination. In cases where the cost limits are too restrictive to allow for adequate planning, administration, personnel development and interagency coordination, the provider is to negotiate with the eligible agency to determine an adequate level of funds to be used for non-instructional purposes.

The state agency must ensure that all eligible providers have direct and equitable opportunities to apply for grants or contracts, and that the same grant or contract announcement and application processes are used for all eligible providers in the state. Local dollars must be used for individuals older than 16 who are not in school except for programs, services or activities related to family literacy services. In providing family literacy services, an eligible provider must try to coordinate with other programs and services prior to using adult education and literacy funds for activities other than adult education.

In awarding grants or contracts, the eligible agency is to consider:

- The degree to which the eligible provider will establish measurable goals for participant outcomes;
- The past effectiveness of an eligible provider in improving the literacy skills of adults and families, and, after the one-year period beginning with the adoption of an eligible agency's performance measures, the success of an eligible provider receiving funding in meeting or exceeding such performance measures, especially with respect to adults with the lowest levels of literacy;
- The eligible provider's commitment to serving those in the community who are most in need of literacy services, including individuals who are low income or have minimal literacy skills;
- Whether or not the program is of sufficient intensity and duration for participants to make substantial learning gains, and whether it uses instructional practices—such as phonemic awareness, systematic phonics, fluency and reading comprehension—that research has proven are effective in teaching individuals to read;
- Whether the activities are built on a strong foundation of research and effective educational practice;
- Whether the activities effectively employ advances in technology, including use of computers;
- Whether the activities provide learning in real-life contexts to ensure an individual has the skills he or she needs to compete in the work-

place and exercise the rights and responsibilities of citizenship;
- Whether the activities are staffed by well-trained instructors, counselors and administrators;
- Whether the activities coordinate with other available resources in the community, such as by establishing strong links with elementary schools and secondary schools, postsecondary educational institutions, one-stop centers, job-training programs and social service agencies;
- Whether the activities offer flexible schedules and support services (such as child care and transportation) that are needed to enable people, including individuals with disabilities or other special needs, to attend and complete programs;
- Whether the activities maintain a high-quality information management system that can report participant outcomes and monitor program performance against eligible agency performance measures; and
- Whether the local communities have a demonstrated need for additional English literacy programs.

Each eligible provider is to submit an application to the eligible agency with the information and assurances that agency requires, including a description of how funds awarded will be spent; and a description of any cooperative arrangements the eligible provider has with other agencies, institutions or organizations for delivery of adult education and literacy activities.

### *Performance Accountability System*

A comprehensive performance accountability system is established under the WIA to assess eligible agencies' effectiveness in continuously improving funded adult education and literacy activities, and optimizing return on the federal investment.

The performance measures for each eligible agency are:

- Core indicators of performance;
- Additional indicators of performance (if any) identified by the eligible agency; and
- An eligible agency-adjusted level of performance for each indicator.

Core indicators of performance are:

- Demonstrated improvements in literacy skill levels in reading, writing and speaking the English language; numeracy; problem solving; English language acquisition; and other literacy skills;
- Placement or retention in, or completion of, postsecondary education, training, unsubsidized employment or career advancement; and
- Receipt of a secondary school diploma or its recognized equivalent.

The state plan is to identify expected levels of performance for each of the core indicators of performance for the first three program years covered. The levels of performance are to be expressed in an objective, quantifiable and measurable form, and should show the eligible agency's progress toward continuous performance improvement.

The education secretary and the agency must agree on levels of performance for each of the core indicators of performance for the first three program years covered by the state plan—taking into account how the levels involved compare with those of other agencies, the characteristics of participants, the services or instruction provided, and the extent to which such levels promote continuous improvement and ensure optimal return on the investment of federal funds.

Prior to the fourth program year the secretary and each eligible agency must agree on levels of performance for each of the core indicators of performance for the fourth and fifth program years in the state plan, taking into account the factors described previously. These levels become the agency's adjusted levels of performance and are incorporated into the state plan.

If unanticipated circumstances arise in a state, resulting in a significant change in the factors, the eligible agency may request that the eligible agency-adjusted levels of performance be revised.

The eligible agency may identify in the state plan levels of performance for the additional indicators. These levels are to be considered to be eligible agency-adjusted levels of performance.

The agency must submit an annual report to the secretary showing its progress in achieving eligible agency performance measures—including information on levels of performance achieved by the eligible agency with respect to core indicators of performance. The secretary is to make the information available to the general public and the appropriate congressional committees.

### *National Institute for Literacy*

Under the WIA, the National Institute for Literacy continues to provide national leadership in the literacy arena, coordinate literary services and policy, and serve as a national resource for adult education and literacy programs by providing the best and most current information available—including the work of the National Institute of Child Health and Human Development in the areas of phonemic awareness, systematic phonics, fluency and reading comprehension—to all recipients of federal assistance that focus on reading. It also is to support the creation of new ways to offer services that have proven effective.

The institute is to be administered under the terms of an interagency agreement entered into by the secretaries of Education, Labor and Health and Human Services. The WIA specifies, however, that the institute's offices are to be separate from the offices of Education, Labor and Health and Human Services.

A National Institute for Literacy Advisory Board is established under the WIA to make recommendations on institute goals and implementation. The 10-member panel, appointed by the president, also plays an advisory role in selecting the institute's director and staff, advises on institute operations and receives reports from the interagency group and director.

In its leadership role in improving and expanding the literacy services delivery system, the institute is authorized to:

- Establish a national, electronic database that disseminates information across the literacy and basic skills field on such topics as effective practices (in instruction of phonemic awareness, systematic phonics, fluency and reading comprehension, and in integration of literacy and basic skills instruction with occupational skills training); public and private literacy and basic skills programs, and the federal, state and local policies affecting provision of literacy services at the national, state, and local levels; opportunities for technical assistance, meetings and conferences; and a communication network for literacy programs, providers, social service agencies and students;
- Coordinate support for providing literacy and basic skills services across federal agencies and at the state and local levels;
- Coordinate support of reliable and replicable research and development on literacy and basic skills in families and adults across federal agencies—especially with the Office of Educational Research and Improvement in the Department of Education—and carry out basic and applied research and development on topics that are not being investigated by other organizations or agencies, such as the special literacy needs of individuals with learning disabilities;
- Collect and disseminate information on methods of advancing literacy that show great promise—including phonemic awareness, systematic phonics, fluency and reading comprehension based on the work of the National Institute of Child Health and Human Development;

- Provide policy and technical assistance to federal, state and local entities to improve literacy-related policy and programs;
- Fund a network of state or regional adult literacy resource centers designed to help state and local public and private nonprofit literacy-improvement efforts by encouraging coordination of literacy services; enhancing state and local organizations' capacity; and serving as a link between the institute and providers of adult education and literacy activities for the purpose of sharing information, data, research, expertise and resources;
- Coordinate and share information with national organizations and associations interested in literacy and workforce investment activities;
- Advise Congress and federal departments and agencies on policy development with respect to literacy and basic skills; and
- Undertake other activities that lead to improvement of the nation's literacy delivery system and complement similar efforts being undertaken by public and private agencies and organizations.

The institute may award grants to, or enter into contracts or cooperative agreements with, individuals; public or private institutions, agencies or organizations; or consortia of such institutions, agencies or organizations; to carry out the institute's activities. The institute, in consultation with the board, may award fellowships to outstanding individuals pursuing careers in adult education or literacy in the areas of instruction, management, research or innovation. These fellowships should be used, under the institute's auspices, for research, education, training, technical assistance or other activities to advance adult education or literacy—including training volunteer literacy providers at the national, state or local level.

The institute must submit a report biennially to the House Committee on Education and the Workforce and the Senate Committee on Labor and Human Resources.

### *General Provisions*

Funds made available for adult education and literacy activities under the WIA are meant to supplement but not supplant other state or local public funds expended for adult education and literacy activities.

An eligible agency can receive funds for any fiscal year if the secretary finds that the fiscal effort per student or the agency's aggregate expenditures for adult education and literacy activities in the second preceding fiscal year were not less than 90 percent of the fiscal effort per student or the agency's aggregate expenditures for adult education and literacy activities in the third preceding fiscal year.

If the education secretary determines that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the secretary is to calculate the percentage decreases in such effort or expenditures and decrease the payment made for that program year to the agency for adult education and literacy activities by the lesser of those percentages.

If the amount made available for adult education and literacy activities for a fiscal year is less than the amount for the preceding fiscal year, then the fiscal effort per student and the aggregate spent by an eligible agency to avoid a reduction will be decreased by the same percentage as the percentage decrease in the amount made available.

The secretary can waive the requirements for one fiscal year only, upon determination that a waiver would be equitable due to exceptional or uncontrollable circumstances. If the secretary grants a waiver for a fiscal year, the level of effort required is not be reduced in the subsequent fiscal year.

# Transition Provisions

The Department of Labor is responsible for transition from any authority under JTPA to the workforce investment systems established in the WIA. The secretary of labor is to provide guidance in the designation of state workforce investment boards, local workforce investment areas and local workforce investment boards.

The secretary of education is responsible for transition from any authority under the Adult Education Act to any authority under the Adult Education and Family Literacy Act.

The Department of Labor has established a taskforce to work on transition issues and a Web site: http://usworkforce.org/default.asp.

Both interim and final regulations are to be issued on a schedule proscribed in the WIA. The secretary of labor must develop and publish interim final regulations regarding transition to and implementation of the act in the *Federal Register* no later than 180 days after enactment. By December 31, 1999, the secretary must publish in the *Federal Register* final regulations covering transition to and implementation of the WIA.

During the transition, states, grant recipients, administrative entities and other recipients of financial assistance under the JTPA or the WIA can expend funds received under either act prior to July 1, 2000, in order to plan and implement programs and activities authorized under the WIA. An amount not to exceed 2 percent of any allotment to any state from amounts appropriated under the JTPA or the WIA for fiscal year 1998 or 1999 may be made available to carry out the transition, and not less than 50 percent of that amount is to be made available to local entities.

No more than a year after enactment of the WIA, the secretary of labor is to reorganize and align functions within the Department of Labor and the Employment and Training Administration in order to efficiently and effectively carry out the duties and responsibilities required by the act and related laws.

# APPENDIX

# WIA Implementation Benchmarks

## September-December 1998

Open Web Site/*Federal Register* Notice
Engage Stakeholders in Identifying Issues
Publish White Paper: Goals and Principles
Begin Consultation on Planning/Program/Policy Guidance
Regions and States Identify Closeout Issues
Publish Planning Guidance
Begin Technical Assistance for Early States

## April 1999

Interim Final Regulations Published in *Federal Register*
Early States Submit Plans

## April-June 1999

Begin Technical Assistance for Non-Implementing States
Review Plans, Negotiate Performance

## July 1, 1999

Early State Implementation and Operation

## July-August, 1999

As Plans Are Approved, Additional States Begin Implementation
Agency Reorganizes/Taskforce Disbands

## December 31, 1999

Publish Final Regulations

## April 1, 2000

Last Day to Submit State Plans

## July 1, 2000

All States Implementing Workforce Investment Act

# Recurring Dates in the Workforce Investment Act

### Once Every Five Years

- Development of a state plan. Performance levels negotiated for fourth and fifth year. Length of the unified plan is not specified in law but may be part of regulation.
- Development of a local plan.
- Approval of state work-flex plans by the labor secretary.
- Designation as a local workforce investment area if previously a service delivery area, and if demonstrates performance and fiscal integrity.

### Annually

- Initial eligibility as training provider for certain providers for first year. Subsequent eligibility time limits are not specified and will be determined by the governor.
- Performance information on providers.
- Submission of states' reports on state and local performance on core indicators.
- Assessment of Job Corps Center.
- Publication by secretary of employment statistics technical standards.
- Publication of employment statistics plan.
- Consumer satisfaction review—employment statistics.

# Required Elements of the One-Stop Delivery System

## One-Stop Partners

Partners include entities that carry out:

- Programs authorized under the WIA's Title I, Workforce Investment Systems;
- Programs authorized under the Wagner-Peyser Act;
- Adult education and literacy activities;
- Programs authorized under Title I of the Rehabilitation Act of 1973;
- Programs authorized under the Personal Responsibility and Work Opportunity Reconciliation Act;
- Activities authorized under Title V of the Older Americans Act of 1965;
- Postsecondary vocational education activities authorized under the Carl D. Perkins Vocational and Applied Technology Education Act;
- Activities authorized under Chapter 2 of Title II of the Trade Act of 1974;
- Veterans employment and job training activities;
- Employment and training activities carried out under the Community Services Block Grant Act;
- Employment and training activities carried out by the Department of Housing and Urban Development; and
- Programs authorized under state unemployment compensation laws (in accordance with applicable federal law).

## Memorandum of Understanding

Each one-stop partner is required to enter into a memorandum of understanding with the local board that to describe:

- Services to be provided through the one-stop delivery system;
- How the costs of such services and the operating costs of the system will be funded;
- Methods for referring individuals between the one-stop operator and one-stop partners for appropriate services and activities; and
- Duration of the memorandum and procedures for amending it.

## One-Stop Operators

One-stop operators may be a public or private entity or consortium of entities, of demonstrated effectiveness, located in the local area. They may include:

- A postsecondary educational institution;
- An employment service agency;
- A private, nonprofit organization (including a community-based organization);
- A private, for-profit entity;
- A government agency;
- Another interested organization or entity, which may include a local chamber of commerce or other business organization; and
- A nontraditional public secondary school or an area vocational education school, but not elementary or traditional secondary schools.

If a one-stop delivery system was established in a local area prior to the WIA's enactment, the local board, the chief elected official and the governor involved may agree to certify an entity carrying out activities through the system as a one-stop operator. Services at the one-stop are divided into core and intensive services. Additionally, individuals can receive training services through individual training accounts (see description under "Training Services").

## Core Services

Core services to be available to any adult or dislocated worker at a one-stop center include:

- Determinations of whether individuals are eligible to receive assistance;
- Outreach, intake (which may include worker profiling) and orientation to information and other services available through the one-stop delivery system;
- Initial assessment of skill levels, aptitudes, abilities and supportive service needs;
- Job search and placement assistance, and, where appropriate, career counseling;
- Employment statistics information, including accurate information relating to local, regional and national labor market areas; job-vacancy listings in such labor market areas; information on job skills necessary to obtain jobs; and information relating to local occupations in demand and earnings and skill requirements for such occupations;
- Performance and program cost information on eligible providers of training services, youth activities, adult education, postsecondary vocational education activities and vocational education activities available to school dropouts under the Carl D. Perkins Vocational and Applied Technology Education Act; and providers of vocational rehabilitation activities;
- Information on how the local area is performing on local performance measures and any additional performance information with respect to the local one-stop delivery system;
- Accurate information relating to the availability of supportive services ñ including child care and transportation-in the local area, and referral to such services
- information regarding filing claims for unemployment compensation;
- Assistance in establishing eligibility for welfare-to-work activities programs of financial aid assistance for training and education programs that are not funded under the WIA and are available in the local area; and
- Follow-up services, including counseling about the workplace, for participants in workforce investment activities who are placed in unsubsidized employment, for not less than 12 months after the first day of employment.

## Intensive Services

Intensive services are for those who are unemployed and are unable to obtain employment through core services and are identified by the one-stop operator as needing more-intensive services to get a job; or who are employed but need intensive services to get or retain work that allows them to be self-sufficient.

Intensive services are either provided directly through one-stop operators or through contracts with service providers -- which may include public, private for-profit and private nonprofit groups -- approved by the local board.

Intensive services include:

- Comprehensive and specialized assessments of skill levels and service needs, which may include diagnostic testing and other assessment tools; and in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
- Development of an individual employment plan to identify employment goals, appropriate achievement objectives and the right combination of services for the participant to achieve his or her employment goals;
- Group counseling;
- Individual counseling and career planning;
- Case management for participants seeking training services; and
- Short-term pre-vocational services—including development of learning, communication, interviewing and personal maintenance skills; punctuality; and professional conduct—to prepare individuals for unsubsidized employment or training.

## Training Services

Training services may be provided to individuals who meet eligibility requirements for intensive services but:

- Have been unable to obtain or retain employment through such services, though they have the skills and qualifications to participate in a selected program;

- Select programs that are directly linked to employment opportunities in the local area;
- Are unable to obtain other grant assistance, including Pell grants; or
- Need assistance above the levels provided by such other grants.

The bill requires that training be provided through individual training accounts (ITAs), by which a participant chooses among eligible providers. Specifically, the one-stop system is to provide participants with the list of eligible providers and related performance information. The participant then is to choose the program that best meets his or her needs, with payment arranged through the ITAs. Training may be provided through a contract for services in lieu of an ITA for:

- On-the-job and customized training;
- Cases in which there are too few providers to meet the competitive purposes of ITAs; and

- Programs offered by community-based organizations or other private agencies that serve special participant populations facing multiple barriers to employment.

Training services must be directly linked to occupations that are in demand locally or in another area to which an adult or dislocated worker receiving such services is willing to relocate. Training services also may be for sectors of the economy that have high potential for sustained demand or growth in the local area, as approved by the local board.

Training services may include:

- Occupational skills training, including training for nontraditional employment;
- On-the-job training;
- Programs that combine workplace training with related instruction, which may include cooperative education programs;
- Training programs operated by the private sector;
- Skill upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult education and literacy activities provided in combination with other services; and
- Customized training with the commitment of an employer or group of employers to employ the individual upon successful completion.

When funds are limited, people receiving public assistance and others with low incomes get priority for intensive services and training services. Those using training services are to receive the state list of eligible providers, and performance and performance cost information.

# Additional Resources from ACTE

The following resources can help you stay current with the requirements of the Workforce Investment Act of 1998, relate its provisions to career and technical programs and explain the benefits of career and technical education to students, parents and community leaders.

## Subscription Periodicals

### *Vocational Education Weekly*

This concise, four-page newsletter puts career and technical educators in the know about critical developments in Washington as they occur. The *Weekly* is a 10-minute read that offers sources of educational funding, the lowdown on legislative battles over education policy, updates on program requirements, reports that measure career and technical education's effectiveness and deadlines for government grant proposals.

*Subscription rates: one year (44 weekly issues) $188 ($165 to ACTE members). Two years (88 weekly issues) $357 ($313 to ACTE members).*

### *School-To-Work Reporter*

This monthly, 12-page newsletter covers the field of career-based education with a special focus on school-to-careers and tech prep. The *STW Reporter* provides analysis of key federal legislation and workforce issues, with a strong emphasis on model programs, reviews of research, recent grant notices and lots of resource data.

*Subscription rates: one year (12 issues) $188 ($165 to ACTE members). Two years (24 issues) $357 ($313 to ACTE members).*

### *Techniques: Making Education and Career Connections*

In-depth and at-a-glance articles in this award-winning, four-color magazine bring teachers, administrators, counselors and employers up to date on the issues and report on strategies for implementing programs and connecting with students. The content is focused on education that prepares students for career and life success.

*Subscription rates: one year (eight issues) $42 domestic; $78 to foreign addresses. Two years (16 issues) $80 domestic. (ACTE members receive* Techniques *as a membership benefit.)*

## Books

### The Official Guide to the Perkins Act of 1998

This comprehensive publication provides the complete text of the new law, a section-by-section explanation of its provisions, analysis of the differences between the new law and the previous act, and insight into how the changes are likely to affect your programs.
ACTE # BPERKINGU $34.95 ($29.95 to ACTE members)

### High-Skill, High-Wage Jobs

*by Kristen J. Amundson*
A student-friendly guide to more than 50 of the most-challenging and best-paying jobs on the market, many of which don't require a four-year degree.
ACTE# BHIGHSKIL $19.95 ($17.95 to ACTE members)

### Standards for Our Schools

*by Marc S. Tucker & Judy B. Codding*
A tough-minded yet practical book with a step-by-step plan for instituting high standards for both struggling and high-achieving students. The authors call for providing all students with a first-class academic foundation and providing an excellent professional and technical education to those who want it.
ACTE# BSTANDARD $28 ($25 to ACTE members)

### Teaching the New Basic Schools

*by Richard Murnane & Frank Levy*
The authors hold that many students can get good jobs right out of high school—if they have the skills employers need. They describe these "new basic skills," how students are measuring up and how parents, teachers and employers play a role.
ACTE# BTEACHNEW $27 ($23.75 for ACTE members)

### High School Students Earning College Credit

*by Margaret Fincher Ford*
A guide to planning, implementing and evaluating dual credit programs between high school and post-secondary institutions.
ACTE# BHISCHSTU $17 ($15 for ACTE members)



BEST COPY AVAILABLE

### Tech Prep Career Programs

*by Carol Fagan & Dan Lumley*
A guide to linking your school with community colleges, technical schools and community businesses and providing students with core technical and specialized skills they'll need for career success.
ACTE# BTECHPPRO $28.95 ($25.95 to ACTE members)

### Integrating Academic and Vocational Education: A Model for Secondary Schools

*by Alexandra Penn & Dennis Williams*
Based on an Academy for Aerospace Technology model program.
ACTE# BINTEGACA $12.95 ($10.95 to ACTE members)

### Making High Schools Work

*by Gene Bottoms*
Stories of schools that have implemented integrated academic and career and technical education programs with the help of the Southern Regional Education Board.
ACTE# BMAKINGHS $12.95 ($10.95 to ACTE members)

### Teaching for Understanding Through Integration of Academic and Technical Education

By Gene Bottoms & Deede Sharpe
A follow-up SREB volume to *Making High Schools Work*.
ACTE# BTEACHUND $11 ($10 to ACTE members)

### How to Order

**To order additional copies of the *User's Guide to the Workforce Investment Act of 1998* (ACTE# BWIAGUIDE $18.95, $15.95 to ACTE members) or any of these publications, follow the instructions below or use the order form on the following page. All these resources are available from ACTE Product Sales. (Orders under $50, including shipping, must be prepaid. S&H is $6 for order of $55 or less, 9% of total for order over $55. For a Professional Resources Catalog or other assistance, call toll-free to 800-826-9972.)**

**Three easy ways to order:** • Credit card orders by phone to 800-826-9972 • Card and purchase orders by fax to 703-683-7424 • Checks and purchase orders by mail to ACTE Product Sales, 1410 King St., Alexandria, VA 22314.

Visit us on the Internet at www.acteonline.org

## Information Brochures

Available only in quantities of 100, 500 and 1,000. Prices shown are for 100 copies.

### Will My Kid Get a Life? A Parent's Guide to Career Exploration

ACTE# BGETALIFC $50 ($42 to ACTE members)

**You Can Be What You Want to Be**—a student career exploration tabloid with career quizzes and education options
ACTE# BYOUCANBC $65 ($55 to ACTE members)

### Learning and Earning Power: A Student Guide to Education Beyond High School

ACTE# BLRNEARNC $50 ($42 to ACTE members)

### 8 Facts Every Parent Should Know About Vocational Education

ACTE# B8FACTS1C $50 ($42 to ACTE members)

### Preparing Your Teen for a Successful Career: 10 Tips for Parents

ACTE# BPRETEENC $50 ($42 to ACTE members)

**Tech Prep: the Success Option**—a student guide to the benefits of tech prep
ACTE# BSUCCOPTC $50 $42 to ACTE members)

### A Parent's Guide to Tech Prep

ACTE# BPARENTSC $50 ($42 to ACTE members)

### How to Help Students and Your Business

ACTE# BSTCBUSIC $50 ($42 to ACTE members)

BEST COPY AVAILABLE

# EASY Order Form

## *Bill to Address*

Name:

Institution:

Address:

City: State: Zip:

Daytime telephone:

Fax #: e-mail address:

**Allow four weeks for delivery**

## *Ship to Address*

Name:

Institution:

Address:

City: State: Zip:

Daytime telephone:

ACTE membership number:

NOTE: You must include your membership number to be eligible for the membership price.

| Quantity | Product # | Title | Price Each | Amount |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

**Total amount**

4.5% sales tax* (VA residents only)

**Plus shipping/handling**
($6 for order of $70 or less, 9% of total for order over $70)
**(All purchase orders must include shipping and handling charges.)**

**Total amount enclosed**

**Note:** Orders under $50, including shipping, must be prepaid.

All orders from outside the U.S. are welcome, but must be prepaid in U.S. dollars.

* If you are tax exempt, you must provide a copy of your tax exemption letter.

## *Method of Payment*

❑ Check/Money Order (Payable to ACTE)

❑ Purchase Order ($50 Minimum)

(Purchase Order must be attached for billing.)

❑ Visa ❑ Mastercard ❑ Discover

Expiration Date:

Card #

Signature

BEST COPY AVAILABLE

**3 Ways to Order!**

**By phone:** Call Product Sales Dept. toll-free at 1-800-826-9972 for assistance and credit card orders.
**By fax:** Fax a purchase order to: 1-703-683-7424.
**By mail:** Mail your order form with check or purchase order to: ACTE Product Sales, 1410 King Street, Alexandria, VA 22314

BEST COPY AVAILABLE

Association for Career and Technical Education
ACTE
1410 King Street
Alexandria, VA 22314